a planner's reference

to legislation provincial policies and guidelines

Ministry of
Municipal Affairs
and Housing

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Foreword to fifth edition

Relatively few changes have occurred since the last edition of the Planner's Reference was published in October of 1983. However, since the 1983 edition was sold out, an updated version has been prepared within less than two years, rather than merely re-printing the earlier version.

As before, comments from users on changes or improvements which should be made in future editions of this document will be gratefully received and should be addressed to:

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Caution

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

A planner's reference to legislation in Ontario

Purpose

It is assumed that anyone active in planning in Ontario would have a copy of the Planning Act to hand and would be reasonably familiar with it. However, many planning and development matters are affected by statutes other than the Planning Act and this document is intended to assist a planner in finding relevant information or in refreshing his/her memory as to its general content. It is not intended to give a comprehensive, detailed record of each of the pertinent items of legislation; reference should be made to the statutes for that purpose. Any planner dealing in depth with a topic would obviously be expected to use the source documents for information. This reference work is intended primarily for the generalist who may be called upon to respond to a variety of municipal planning or related problems and yet lacks either wide and varied experience or a photographic memory, or both.

Content

Urban and regional planners get involved in a great variety of topics and this document includes references to a correspondingly wide spectrum of legislative provisions. Some of them may appear quite esoteric but are included because, in some way, they may be relevant to the control of some feature of our environment in the broad sense.

The bulk of the references are to the Ontario statutes but relevant federal statutes are also included. In addition, where a government policy has been formulated or where a government agency has produced guidelines or particularly useful explanatory material on a referenced topic, this information is noted.

Publications

Enquiries regarding the availability of referenced publications should be directed to the responsible ministry unless it is specifically stated that they are available from the Ontario Government Bookstore.

How to use the planner's reference

The material is gathered in alphabetical order by topic but some items may appear as sub-topics (in lower case) of a main entry (in capitals).

E.G. "Low rental housing" is a sub-heading under "HOUSING". A cross-reference appears under "L", both in the index and the main body of the text:

Low rental housing	see HOUSING -

The dash after HOUSING indicates that the title in the left-hand column appears as a sub-heading of HOUSING.

If the cross-reference in the index starts with the words "see also", the user should first seek the item listed in the left-hand column and, in addition, should refer to the "see also" item.

This reference work was designed to serve people already familiar with the Planning Act. It was nevertheless found convenient to include index reference to this Act, which appears abbreviated as P.A.

The abbreviated name of the ministry responsible for administering the legislation referred to is sometimes shown in brackets after the name of the Act. It is omitted, however, where that information is considered obvious or repetitious. (The Planning Act, the Ontario Planning and Development Act and the Municipal Act are administered by the Ministry of Municipal Affairs and Housing.)

All references are to the Revised Statutes of Ontario unless otherwise stated.

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Subject	Reference		Description and Notes
Abandoned Buildings	see BUILDING CODE		
ABANDONED MOTOR VEHICLES	Environmental Protection Act, 48-61		An abandoned vehicle may be removed by a police officer or a designated provincial officer to an abandoned motor vehicle site. The owner must be notified that he has thirty days to claim the vehicle. If he does not receive notice, the owner may claim compensation.
		48(a)	"Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance, mechanical condition or lack of licence plates, to be abandoned.
- derelict motor vehicle		1.7a	"Derelict motor vehicle" is defined as a motor vehicle that, i. is inoperable; and ii. has no market value as a means of transportation or, has a market value as a means of transportation that is less than the cost of repairs required to put it into operable condition. Approval of derelict motor vehicle sites has been delegated by the Ministry of the Environment to the municipalities. A model by-law has been prepared by the Waste Management Branch of the ministry.
ABANDONED ORCHARD	Abandoned Orchards Act (Agriculture and Food)		If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it. This Act only applies to orchards located within 275 metres of a commercial orchard.
Abattoirs	see SLAUGHTERHOUSES		
Access road	see MOTOR VEHICLE ACCESS TO PROPERTY; FIRE MATTERS - access route; PROVINCIAL PARK -		
ACCESS TO LIGHT AND AIR	Limitations Act 33 (Attorney General)		Generally speaking, a landowner is only entitled to light and air from the vertical column of space above his own property. Rights over neighbouring property may be acquired by agreement in writing. A legal discussion on this subject is contained in "Perspectives on Access to Sunlight" published by the Ontario Ministry of Energy in 1980.
Access to private property	see ENTRY ON PRIVATE PROPERTY; HYDRO-ELECTRIC POWER; PUBLIC WORKS; PUBLIC HEALTH; MOTOR VEHICLE ACCESS TO PROPERTY; HIGHWAY - access to property		
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS		
ADULT ENTERTAINMENT	Municipal Act 222 Theatres Act 16(2) see also BODY RUB PARLOURS		"Adult entertainment parlour" is defined. Council may pass a by-law to define the areas in which adult entertainment parlours may be located and may limit their number and regulate their hours of operation.
Aesthetics	see SIGNS; BUSINESS IMPROVEMENT AREAS...; P.A. 40; LAKES AND RIVERS -		
Aged	see ELDERLY PERSONS CENTRE; HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged, - nursing home; HOUSING - elderly persons		
Aggregates	see PITS AND QUARRIES		
Agreement forest	see TREES		
AGREEMENTS	Municipal Act 200, 325 see also: Subdivision agreement; CONDOMINIUM - maintenance agreement; P.A. 40(7)(c) - site plan agreement.		A municipal corporation has a right to enforce a contract or agreement. Council may pass a by-law to ensure that in case of default, the municipality may do the work and recover the cost through taxes.
Agricultural Code of Practice	see AGRICULTURAL POLLUTION		

A

Subject	Reference	Description and Notes
Agricultural Development	P.A. 49(11) re A.R.D.A.	
AGRICULTURAL HOLDING	1981 census definition	An agricultural holding is defined as a farm, ranch or other agricultural holding with sales of agricultural products in the year 1980 of $250 or more.
- foreign ownership	Non-resident Agricultural Land Interests Registration Act (Agriculture and Food)	Foreigners owning an interest in ten hectares or more of agricultural land must file a registration report. They are then liable to pay a land transfer tax.
	Land Transfer Tax Act (Revenue)	In order to plug a previously existing loop-hole, this Act now deems that a taxable disposition of land occurs when a corporation owning agricultural land in Ontario becomes non-resident. This prevents a non-resident from avoiding the 20% tax by purchasing shares in a company owning Ontario agricultural land.
AGRICULTURAL LAND	see also PUBLIC LANDS - public agricultural land committee	The Food Land Guidelines (1978) are a statement of provincial government policy. They are included to assist local municipalities, counties or regions in planning for agriculture in the preparation of official plans or amendments which may affect rural lands.
AGRICULTURAL POLLUTION		Refer to the Agricultural Code of Practice prepared jointly by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Municipal Affairs and Housing (1976). It applies to livestock and poultry farms and includes minimum land areas for manure utilization, separation distances from dwellings, guidelines for regulating encroachment on established farms, methods to control water pollution, advice on the disposal of dead animals, etc.
AGRICULTURAL WASTE	Environmental Protection Act, Regulation 309	1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect to food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.
AIR POLLUTION	Environmental Protection Act, 136 and 20-22	The Lt. Gov. in Council may make regulations relating to all manner of pollution. A compilation of existing regulations and guidelines was published by the Air Pollution Control Directorate in April 1981 Report: EPS 1-AP-81-1.
	Clean Air Act (Environment-Federal)	4. The Minister may formulate national ambient air quality objectives, which may be adopted by the provinces, and operate a system of air pollution monitoring stations throughout Canada.
		7. The federal government may prescribe specific and national emission standards for sources of air contaminants and may prosecute operators in contravention of the standards. National emission standards apply only to emissions constituting a significant danger to health or that would result in the violation of an international agreement. Specific emission standards may be prescribed when health, safety or welfare is threatened outside Canada. The federal government may also make regulations regarding the content of fuels. Regulations and national emission standards have been prescribed for leaded and lead-free gasoline, lead from secondary lead smelters, asbestos from asbestos mining and milling, mercury from mercury cell chlor-alkali plants, and vinyl chloride from vinyl chloride and polyvinyl chloride plants.
		8. The federal government may also publish national emission guidelines. Published guidelines to date relate to cement plants, asphalt paving plants, metallurgical coke manufacturing, arctic mining, pulp and paper plants, packaged incinerators, and thermal power plants.
Air space over highways	see HIGHWAY - use of space over	
AIRCRAFT NOISE		Refer to "New Housing and Airport Noise" a supplement to C.M.H.C.'s "Site Planning Criteria", and to the Ministry of Housing's "Land Use Policy Near Airports" (March 1978).
AIRPORT	Airports Act 1-4 (Transportation and Communications)	The provincial government may enter into agreements with a municipality, an individual and the federal government for the establishment or enlargement of an airport. The Minister may may acquire, establish, operate and maintain airports; he may provide funds to a municipality or an individual for such purposes.
	Municipal Act 208(10)	A municipality may establish and operate an aerodrome within its boundaries or in adjoining territory.

Subject	Reference		Description and Notes
AIRPORT ZONING	Aeronautics Act (Transport-Federal)		In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.
ANIMALS	Municipal Act 210(1-6)		Council may prohibit or regulate the keeping of any class of animals or limit the number of animals kept in any defined area. ("Animal" includes birds and reptiles.) Establishments for the boarding or breeding of animals may be regulated.
	see also RENDERING PLANT, SLAUGHTERHOUSE		
ANNEXATION AND AMALGAMATION	Municipal Act	14(2)	Upon an application by a council, by the Minister, or by twenty-five inhabitants of an area, the Municipal Board may order the amalgamation of municipalities or the annexation of all or part of certain municipalities or areas to a municipality or from them to another municipality.
	- notice, hearing	(4)	The Municipal Board, before making an order with regard to subsection 2, is required to give proper notice and hold a public hearing in order to inquire into the merits of the application and in order to hear any objections to it.
- official plan		(6)	The by-law of a municipality, which authorizes an application for amalgamation or annexation under the provisions of this section, may not be invalidated on the ground that it conflicts with the official plan.
- zoning		18	Zoning by-laws in annexed areas remain in force until repealed by the annexing municipality.
	Municipal Boundary Negotiations Act (Intergov't. Affairs)		This Act provides a method by which municipalities may, by agreement, resolve annexation or amalgamation problems or resolve intermunicipal problems arising in respect of boundary-related issues. Upon application, the Minister appoints a fact-finder. If the fact-finder's report indicates agreement, the Minister may introduce legislation to implement the agreement. Otherwise, a negotiating committee may be formed.
	see also BOUNDARIES; URBAN SERVICES AREAS		
	Barrie - Innisfil Annexation Act, 1981		This Act implements a negotiated annexation. The City may not apply for further annexation within 30 years, except for certain lands, which may be applied for within 15 years.
Appeals	see PUBLIC PARTICIPATION - appeals		
Application fees	P.A. 68		Guideline 7 under the 1983 Planning Act is entitled "Planning Application Fees."
Archaeological preservation	see CONSERVATION (CULTRUAL)		
Architectural preservation	see CONSERVATION (CULTURAL)		
AREA RATE			
- police	Police Act 22		Police costs may be met by levying rates that are different between areas defined by a township council or by levying rates in one or more of such areas only.
	see also BOUNDARIES; DRAINAGE -; IMPOSTS; LOCAL IMPROVEMENTS; PUBLIC TRANSPORTATION-; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGEMENT -; WATERWORKS -; HYDRO-ELECTRIC POWER; BUSINESS IMPROVEMENT AREA; PARKING LOTS; TELEPHONE		
ASSESSMENT	Assessment Act (Revenue)	3	The following types of property are exempt from taxation; Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings
- property exempt from taxation		4	Council may also by by-law exempt land owned by religious institutions and used for recreation.
- business assessment		7	In addition to land assessment, a sum computed as a percentage of the land assessment is charged as business assessment.

A

Subject	Reference	Description and Notes
- market value		18 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer.
- areas exempt from taxation		20 Council may annually pass a by-law declaring which farming areas, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.
- golf course		22 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)
- farmland		86. In determining the market value of farmland used only for farm purposes, no consideration may be given to sales to persons whose principal occupation is other than farming.
	see also UNORGANIZED TERRITORY; CONDOMINIUM - assessment	
Assessment, Environmental	see ENVIRONMENTAL ASSESSMENT	
Assessment information for planning	P.A. 67	
Assumption of highway by a municipality	see HIGHWAY - assumption	
ASSUMPTION PLAN	Public Transportation and Highway Improvement Act 6	This is a plan by the Minister of Transportation and Communications to establish the vesting of a highway in the Crown.
Auditorium	see PUBLIC HALL; RECREATION	
Automated Recording and Property Mapping System	see LAND REGISTRATION	
Automobile	see MOTOR VEHICLE, CAR WASH	
Automobile service station	see SERVICE STATION	
AUTOMOBILE WRECKING YARD	Municipal Act 210(130)	Council may prohibit, regulate and inspect motor vehicle wrecking yards.
	Highway Traffic Act 41	Motor vehicle or trailer dealers, car wreckers and used car dealers must obtain a licence from the Ministry. An appointed officer under the Act or a constable is authorized to enter any of these premises for the purpose of investigation and inspection.
	see also JUNK YARDS	

Subject	Reference		Description and Notes
Barn	see GARAGE; AGRICULTURAL POLLUTION; BUILDING CODE - farm buildings		
BASE MAPPING	see also TOPOGRAPHIC MAPS		At the time of publication, a handbook on maps and sources of maps in Ontario was being prepared by the Research and Special Projects Branch of the Ministry of Municipal Affairs and Housing. (Tel: 585-6246)
BEACHES AND SHORES	Public Lands Act (Natural Resources)	42	The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
		60	Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act.
	Beach Protection Act (Natural Resources)		Prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister. Regulations under this Act do not apply to municipalities or individuals removing sand for their own use; however, individuals must obtain the written consent of the municipality.
	Municipal Act 208(31,33)		Council may preserve shores, harbours, bays, riverbanks, etc.
	Shoreline Property Assistance Act (Municipal Affairs and Housing)		A local council may obtain loans from the Treasurer of Ontario to assist landowners in the construction or repair of dykes or other works for protection against erosion. Building repairs necessitated by damage from flooding, erosion or ice formation are also eligible for loans. The loan repayment may be added to the owner's taxes.
	see also NAVIGABLE WATERS		
Beds of Navigable Waters	see NAVIGABLE WATERS		
BEES	Bees Act 19 (Agriculture and Food)		In a rural area, no person may locate a bee-hive closer than 9 metres to a highway, dwelling or cultivated field, unless they are separated by a 2 metre high solid fence extending at least 4.5 metres on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 30 metres away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act	208(54)	Council may establish and lay out bicycle paths. This can include land acquisition and is not restricted to using part of a highway.
		309(5)	Council may set aside a part of a highway as a bicycle or footpath. A relatively permanent arrangement is envisaged, with possibly a physical separation of the path from the motor traffic lanes.
		315(10)	Council may designate a bicycle lane on any road and prohibit its use by other vehicles. The designation may be for such period or periods as may be specified.
BILINGUAL DOCUMENTS	Municipal Act 104a		Municipal by-laws and resolutions may be passed in English only or in English and French. The same applies to an official plan.
Billboards	see SIGNS		
Blighted Areas	see URBAN RENEWAL		
Boarding house	see LODGING HOUSE		
BOATING RESTRICTIONS	Canada Shipping Act 635 (Transport-Federal)		Boating Restriction Regulations under this Act are administered by the Ontario Ministry of Natural Resources. Enforcement is usually carried out by the O.P.P. but the federal Minister may appoint any official of a federal, provincial, county or municipal government as a peace officer for the purpose of these regulations. Regulations may prohibit all vessels from certain waters, or prohibit power driven vessels, specify maximum speed limits, prohibit water skiing or provide for permits for regattas, marine parades and boat races.
Boats	see PUBLIC HEALTH -; WATER CANALS; MARINAS		
BODY RUB PARLOURS	Municipal Act 221		"Body-rub" and "body-rub parlour" are defined. Council may pass a by-law defining the areas in which body-rub parlours may operate and may regulate or prohibit advertising signs promoting body-rub parlours. An M.O.H., a public health inspector or a peace officer may enter a body-rub parlour at any time to enforce the by-law.
	see also ADULT ENTERTAINMENT; MASSAGE PARLOUR		

B

Subject	Reference		Description and Notes
Bonus by-law	P.A. 36		
BOULEVARDS	Municipal Act 309(1, 2)		Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)
BOUNDARIES	Boundaries Act (Consumer & Commercial Relations)		This Act provides for the confirmation of boundaries of parcels of land which may be in doubt or of the location of the boundaries of a public highway. The cost of the former may be area-rated.
	Territorial Division Act (Municipal Affairs and Housing)	1	The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act.
		9-13	The boundaries of townships lying on certain lakes and rivers are described.
		14	Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under the Municipal Corporations Quieting Orders Act.
		15	The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.
- boundary road	Municipal Act 283		Where, on account of physical difficulties or obstructions, a boundary road deviates from a municipal boundary, it is nevertheless deemed to be the municipal boundary for the purposes of this Act.
	see also ANNEXATION		
BRIDGES	Bridges Act (Transportation and Communications)	2(1)	No bridge may be built, altered or replaced except with the approval of the Lieutenant Governor in Council.
		(2)	Conditions for approval of the building, altering or replacement of a bridge require: (a) a petition requesting such approval (b) proof that the plans of the bridge have been deposited with both the Minister and the proper registry office, and (c) proof that notice of such application has been published in the Ontario Gazette and two newspapers having general circulation in the area of the proposed site.
	Municipal Act 254-296	4	Regulations may be made regarding the building, alteration or replacement of a bridge.
	see also LOCAL IMPROVEMENT; HIGHWAY		Various provisions applying to bridges not under the control of the Crown.
Buffer Strip	see LANDSCAPING		
BUILDING BY-LAWS	Municipal Act 210 (162-174) and 210a; Planning Statute Law Amendment Act, 1983		Most of the provisions relating to building by-laws in the old Planning Act now appear in the Municipal Act. These provisions apply only to existing buildings and minor additions and to used mobile homes.
	see also BUILDING CODE		Arrangements may be made by an upper-tier municipality to provide building inspection services to lower-tier municipalities.
BUILDING CODE	Building Code Act (Municipal Affairs and Housing)		This Act provides the authority for the establishment and enforcement of an Ontario Building Code to replace the building standards established by municipal by-laws and the provincial plumbing code.
		1.	The terms "building", "construct", and "demolition" are defined.
		3.	The council of each municipality is responsible for the enforcement of this Act unless it enters into an agreement for the provision of enforcement with or by another municipality, the county or the province.
- building permit	see also MANDAMUS	5.	A building permit, indicating compliance with the conditions and regulations of this Act, is required for the construction or demolition of a building. The municipality and the province may, within their respective jurisdictions, make regulations concerning such things as the amount of information required on permit applications, building permit fees, and the classes of permits required.
	see also UNORGANIZED TERRITORY - building permit	6(4)	Permits may be revoked: if issued on false information, if the construction is not seriously started within six months or if the construction or demolition is suspended for over a year.
- occupation of new buildings	see also UNFINISHED BUILDINGS	7.	Occupation of any part of a new building is prohibited until notice of completion is given and inspection is made and outstanding orders have been complied with.

Subject	Reference	Description and Notes
- abandoned buildings	10.	An inspector may prohibit occupancy of an unsafe building until the remedial action he has suggested is taken. If the building is considered by the inspector to be dangerous to the safety of the public it may be repaired, renovated or demolished at the owner's expense.
- Building Code Commission	14.	Any dispute with regard to the technical aspects of the building code or sufficiency of compliance may be settled before the Building Code Commission whose decision is final.
	15.	Decisions of the inspector or chief official may be appealed in the district or county court.
- Building Materials Evaluation Commission	18.	The Building Materials Evaluation Commission is established to examine new materials, innovative techniques and building designs and authorize their use.
- Ontario Building Code	19.	Regulations may be made for the purpose of establishing a building code in Ontario governing standards for the construction and demolition of buildings. The nature of these regulations is also described. The Ontario Building Code describes administrative and technical requirements of building design and construction. Certain parts of the Ontario Building Code are relevant to planning procedures. Part 2 Administration - describes which parts of the Code govern different classifications of buildings; establishes criteria for professional design and describes procedural requirements during construction; waives requirement for obtaining a building permit in unorganized territory.
- unorganized territory		
- farm buildings		- a non-residential farm building is exempt from the requirement for a building permit if municipal council has not passed a by-law prescribing a class of permit for such buildings. All non-residential farm buildings must be built in accordance with the Canadian Code for Farm Buildings whether or not a permit is required. - a limit has been placed on the maximum allowable levels of radon gas and its attendant daughter products within buildings in designated areas of Ontario. Part 3 Use and Occupancy - applies to "Assembly", "Institutional", "High Hazard Industrial" occupancies and all buildings exceeding 6000 sq. ft. in "building area" or 3 storeys in building height. Requirements for spatial separation may affect site planning. Part 4 Design - governs structural design Part 5 Building Requirements for Handicapped Persons Part 6 Building Services
- demolition		Part 8 Demolition
- site planning		Part 9 Housing and Small Buildings - requirements for spatial separation between buildings may affect site planning.
- renovation		Part 11 Residential Renovation - The Renovation Code was added to the Ontario Building Code in 1984. It grew out of the Ministry's "Residential Renovation Guidelines" and applies to residential buildings of up to 6 storeys. An illustrated guide to the Ontario Building Code was due to be published in mid-1985 as an appendix to the code.
- enforcement		"The Enforcement of the Ontario Building Code Act" is a useful article by Nadia Koltun, Deputy City Solicitor, City of North York, published in Municipal Planning and Law Reports, March, 1983.
	National Building Code	A new (1985) building code, based largely on the revised (1980) National Building Code, was due to appear at about the same time as this Planner's Reference. The National Building Code is a model document which is used in CMHC mortgage policy and for development by the Federal government.

B

Subject	Reference	Description and Notes
BUILDING ENCROACHING ON HIGHWAY	Municipal Act 210(101)	Council may permit an inadvertent encroachment and charge an annual fee.
Building line for deferred highway widening	see SET-BACK	
Building Restoration, Rehabilitation	see CONSERVATION (CULTURAL); HOUSING - O.H.R.P.	
Building Standards	see PUBLIC HEALTH -	
BUILT-UP AREA	Highway Traffic Act 1(1)	1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where, i. not less than 50 percent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or ii. not less than 50 percent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or iii. not more than 200 metres of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii, and signs are displayed as required by the regulations.
	Drainage Act 1.3	The definition of a built-up area in the Drainage Act is almost the same as the above. However, there is no requirement that signs be displayed or that the area be contiguous to a highway and a fourth alternative is available: iv. a plan of subdivision has been registered.
BUSINESS IMPROVEMENT AREA	Municipal Act 217	Council may designate an Improvement Area and establish a Board of Management to beautify municipally-owned lands, buildings and structures in an area for the purpose of promoting the area as a shopping area. Approval of the Ontario Municipal Board is required. The cost is charged to owners in the area.
	see also COMMUNITY IMPROVEMENT - CAIP	
By-law record	see INDEX OF MUNICIPAL BY-LAWS	

Subject	Reference		Description and Notes
Cable T.V.	see TRANSMISSION POLES; WIRES		
Camp grounds	see TOURIST ESTABLISHMENT; TRAILER AND TOURIST CAMPS		
Camps	see PUBLIC HEALTH -; HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution; PUBLIC LANDS - summer resort location		
Canada Mortgage and Housing Corporation (C.M.H.C.)	see HOUSING (National Housing Act)		
Canals	see WATER CANALS IN SUBDIVISIONS		
CANOPIES	Municipal Act 309(3)		Council may permit canopies to project over the sidewalk and may levy an annual fee.
CAPITAL LEVIES			Special capital levies are authorized in the Local Improvement Act, the Tile Drainage Act, the Drainage Act, the Telephone Act and the Police Act (see AREA RATE).
	see also IMPOSTS		
CAR WASH	Municipal Act 210(153)		Council may license, regulate and govern the owners or operators of car washes.
Car wreckers	see JUNK YARDS		
Caution on title	see DEED RESTRICTIONS		
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	1	Columbarium, crematorium, mausoleum and cemetery are defined.
		5	No cemetery may be established or enlarged except with Ministry approval.
		41	Establishment and enlargement may occur by expropriation.
		58,59	Removal of bodies requires the assent of the Cabinet.
		63	The closing of a cemetery requires an order of Cabinet.
Census Farm	see FARM		
CERTIFICATE OF COMPLIANCE	see also P.A. 31(21) re maintenance and occupancy		The Agricultural Code of Practice refers to a Certificate of Compliance which is issued following an evaluation of a livestock production unit, its manure system and quality of management. The certificate is issued jointly by the Ministries of the Environment and Agriculture and Food and it attests to a farmer's ability to control pollution.
Certificate of occupancy	P.A. 34(6)		
Certificate of Title	see QUIETING TITLE		
Checkerboarding	see PARTITION		
Charitable Institution Children's Residence Children's Mental Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -		
CITIZEN ADVISORY COMMITTEE	Ontario Planning and Development Act 3, 6(1)(c) (Municipal Affairs and Housing)		These committees consist of persons appointed by the Minister and are intended to advise the Minister with respect to the preparation and implementation of a "development plan". Two committees must be formed in each development planning area: one to represent the municipalities, and one to be broadly representative of the people of the area.
Citizen Participation	see PUBLIC PARTICIPATION		
CLOSING ORDER	see MOTOR VEHICLE ACCESS TO PROPERTY		
Columbarium	see CEMETERY		
COMMERCIAL MOTOR VEHICLE	Highway Traffic Act 1(1)5		"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 43, 44		"Committees of Adjustment, Minor Variances and Non-Conforming Uses" (July, 1984), is Guideline 11 in a series of guidelines on the Planning Act published by the Ministry of Municipal Affairs and Housing.

C

Subject	Reference		Description and Notes
Common road	see MOTOR VEHICLE ACCESS TO PROPERTY		
COMMUNITY CENTRE	Community Recreation Centres Act (Tourism and Recreation)	1(1)e	"Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre.)
		2	Council may by by-law establish and operate community recreation centres and may grant them aid.
- unorganized territory		3	In unorganized territory a board with jurisdiction may establish and operate community recreation centres.
- joint use		4	Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.
		6,9	The Minister may make grants to municipalities and boards for community recreation centre purposes.
		12	Cabinet may make regulations for community recreation centres.
	see also RECREATION		
COMMUNITY IMPROVEMENT - ONIP	P.A. 28 - 30		The Ontario Neighbourhood Improvement Program is designed to assist Ontario municipalities revitalize older residential neighbourhoods. It provides 50% grants for improvements to municipal services and community facilities.
- CIAP			The Commercial Area Improvement Program is designed to assist Ontario municipalities upgrade older commercial districts. It provides grants and loans for municipal services, parking, aesthetic and economic improvements. As a pre-requisite for eligibility for either of these programs, every municipality must have policies relating to community improvement in its official plan.
	National Housing Act Part VIII.I	54.1	After March 31, 1980, C.M.H.C. may help a provincial or local government pay for community services. The agreement must be approved by the federal cabinet. Community services could include a wide variety of neighbourhood improvements, from sewer and water mains to social and recreational facilities and public non-profit housing. A "Community Improvement Resources Kit" is published by the Community Renewal Branch of the Ministry. It describes available federal and provincial programs and sources of assistance. Guideline 4 under the 1983 Planning Act is entitled "Community Improvement".
	see also BUSINESS IMPROVEMENT AREA; URBAN RENEWAL		
Community-sponsored housing	see HOUSING - non-profit or community sponsored housing		
COMMUTER SERVICES	Commuter Services Act (Transportation and Communications)		This Act establishes the framework for the operation of commuter services by the provincial government and municipalities
Compiled plan	see JUDGE'S PLAN; MUNICIPAL PLAN; REGISTRAR'S COMPILED PLAN		
COMPOSITE PLAN	Land Titles Act 146 (Consumer and Commercial Relations)		Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. The provisions of the Planning Act with respect to approval of plans of subdivision are not applicable to composite plans.
COMPOSITE TOWNSHIP			A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.
CONDOMINIUM	National Housing Act (C.M.H.C.)	2	"condominium unit" means a bounded space in a building designated or described as a separate unit on a registered condominium or strata lot plan or description or similar plan or description registered pursuant to the laws of a province and intended for human habitation, and includes any interest in land appertaining to ownership of the unit. ("Strata plan" is a synonym for "condominium plan" in common usage in British Columbia.)
- strata plan			

Subject	Reference		Description and Notes
	Condominium Act (Consumer & Commercial Relations)	49	The owner of a rented unit is still responsible for common expense fees, but the Corporation may require a tenant to pay any such fees in default and deduct the amount from the rent.
		50	This Section relates a condominium application to the subdivision control provisions of the Planning Act. Details regarding procedures for condominium development are governed by regulations pursuant to Section 59 of the Act.
- assessment	Assessment Act 65 (Revenue)		The assessment of condominium and cooperative units is to be based on the same criteria as owner-occupied single family residences in the same vicinity. Rental premises converted to condominium ownership will be assessed at the level of assessment of similar rental properties, as long as the units continue to be rented.
- maintenance agreements	Municipal Act 210(62)		Council may enter into agreements with condominium corporations for road maintenance, snow clearing, sewer and water pipe maintenance, etc. on the condominium property.
- easements	Condominium Act (Consumer & Commercial Relations)	8(1)	Easements are relevant for single units in allowing for servicing, repairing damage and the support of common elements.
		8(2)	Easements are relevant for commons for servicing and for providing support.
	Land Titles Act (Consumer & Commercial Relations) Registry Act (Consumer & Commercial Relations)	41,43a, 24a	These provisions clarify the status of easements affecting or benefitting common elements, and their status in phased condominium development.
CONFLICT OF INTEREST	Municipal Conflict of Interest Act (Municipal Affairs and Housing)		The failure of a member of council or of a local board to disclose a pecuniary interest, whether direct or indirect, in any matter that comes before a meeting of the council or local board, including a committee or other meeting, will render the member liable, on the application of an elector to a county or district court judge, to having his seat declared vacant and being disqualified from being a member of any council or local board for a period of up seven years and to make restitution.
Connecting link	see HIGHWAY -		
CONSENT	P.A. 49(1), 52, 53		Land Severance: planning guidelines for land division committees, committees of adjustment and delegated planning boards. Prepared by the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore.
CONSERVATION (CULTURAL)	Ontario Heritage Act (Citizenship and Culture)	Part I	This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation.
		Part II	The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc.
- easements			A conservation or heritage easement is a legal agreement by which the owner of a property transfers to another person or body the right to approve decisions concerning demolition, addition or alteration of heritage elements of his property. Easements or covenants entered into by the Ontario Heritage Foundation may be registered against real property and shall run with the property. The easements or covenants made may be of a positive or negative nature and the Foundation may enforce such easements or covenants even where it owns no land which could be accommodated or benefited by such an easement or covenant. A municipal council may also enter into a conservation easement agreement without the necessity of designating the property to be of historic or architectural interest under Part IV of the Act.
- conservation review board		Part III	A Conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI.
- local architectural conservation advisory committee (L.A.C.A.C.)		Part IV	Individual properties may be designated by a municipality, which may consult a Local Architectural Conservation Advisory Committee. Properties designated by by-law as being historically and/or architecturally significant previous to the passing of this Act are also covered by the provisions of this Part. There is provision for hearings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Council may also acquire easements, or enter into covenants and may even assign them to any person if desired.

C

Subject	Reference		Description and Notes
- heritage conservation districts		Part V	If the official plan so provides, a whole area may be designated by a municipality as a Heritage Conservation District. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Council may also acquire or lease a designated property.
		Part VI	Archaelogical exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.
			The following background material, prepared by the Ministry of Citizenship and Culture, is available from the Ontario Government Bookstore:
			"A Heritage Conservation Primer" ($1.00), published in 1984, explains the workings of the Ontario Heritage Act.
			"Heritage Conservation District Guidelines" is scheduled for publication at about the same time as this Planner's Reference.
	Historic Sites & Monuments Act (Environment-Federal)		A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.
Conservation (Energy)	see ENERGY CONSERVATION		
Conservation (Housing)	see HOUSING - neighbourhood improvement		
CONSERVATION (NATURAL ENVIRONMENT)	Conservation Authorities Act (Natural Resources)	2,3	A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area.
		21	The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned.
- hazard land		28	Subject to Cabinet approval, an Authority may regulate: the use of water from rivers and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill. The Regulation adopted by each authority is entitled "Fill, Construction and Alteration to Waterways Regulation". Appeals are heard by the Mining and Land's Commissioner, who is assigned the powers given to the Minister under subsection 28(5).
- dumping fill	O.Reg 364/82		
- Mining and Lands Commissioner			
		32	If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.
	see also: AGRICULTRUAL REHABILITATION; HAZARD LAND; BEACHES AND SHORES; DRAINAGE		
Conservation Review Board	see CONSERVATION (CULTURAL) -		
Consolidated hearings	see HEARINGS		
Contracts	see AGREEMENTS; MONEY BY-LAWS		
Controlled access highway	see HIGHWAY -		
Controlled access road	see HIGHWAY -		
CONTROL ORDER	Environmental Protection Act 113-119		The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.

Subject	Reference		Description and Notes
CONVEYANCE	Conveyancing and Law of Property Act 1(a) (Attorney General)		"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.
	Land Transfer Tax Act (Revenue)	1(1)c	"conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land and a notice or caution in writing signifiying the existence of any instrument or writing by which land is conveyed.
	see also P.A. 49 as amended by the Land Registration Reform Act, 1984		
Co-operative housing	see HOUSING -; CONDOMINIUM - assessment		
COTTAGE			"Official Plan and Zoning Guidelines for Waterfront Residential Areas" is due to be published in 1985 by the Ministry of Municipal Affairs and Housing."
			Section 9.37 of the Ontario Building Code includes some standards for cottages which are lower than the normal residential standards.
	see also PUBLIC LANDS - summer resort location		A chronological compendium of decisions on cottage or seasonal zoning by-laws is contained in the August 1981 issue of Municipal World.
COUNTY	Municipal Act 1 and 7 P.A. 1(g)		The Municipal Act and the Planning Act differentiate between a "local municipality", which excludes a county, and a "municipality", which is defined as "a locality the inhabitants of which are incorporated" (Municipal Act) or "alocal municipality, a county and a regional, metropolitan or district municipality" (Planning Act).
	see also HIGHWAY - county road, - zoning, - gas pumps, signs - suburban road		
County road	see HIGHWAY -		
COVENANT	Conveyancing and Law of Property Act 61 (Attorney General)		A covenant or condition running with the land may be modified or discharged by order of a judge of the Supreme Court or of a judge of the county or district court. This does " not apply to any building restriction imposed by a by-law under the Municipal Act or the Planning Act.
	see also DEED RESTRICTIONS		
Crematorium	see CEMETERY		
Crown land	see PUBLIC LANDS		
Culverts	see HIGHWAY -; DRAINAGE		

D

Subject	Reference		Description and Notes
DAMS	City of Orillia Act see also LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -		A Private Bill was passed in 1980 to authorize the City to build and develop dams for the generation of electrical power in the townships of Georgian Bay and Muskoka Lakes.
DANGEROUS MANUFACTURES	Municipal Act 210(34)		Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
Day Nursery	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -		
Dead Animals	see RENDERING PLANT; AGRICULTURAL POLLUTION		
DEBENTURES	Municipal Act 142-157 see also MUNICIPAL BOARD		Under the heading "Money By-laws" the Municipal Act deals with debentures, municipal debt and contracts for the supply of public utilities.
DEED RESTRICTIONS	Land Titles Act (Consumer & Commercial Relations)	117	A land owner may apply to the Land Registrar to have conditions or restrictions entered on the register (i.e. on title) which bind subsequent owners not to do certain things without authorization from named persons.
		118	Covenants, conditions and restrictions may be contained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land.
		124-136	A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
DEEMING A REGISTERED PLAN	P.A. 50(4)		A booklet entitled "Subdivision Control in Registered Plans: Deeming and Part-Lot Control" was published by the Ministry of Municipal Affairs and Housing in May, 1981. It is obtainable from the Ontario Government Bookstore, price $2.00
Deferred highway widening	see SET-BACK		
Delegation of Minister's Power	P.A. 4		Guideline 3 under the 1983 Planning Act is entitled "Delegation of Minister's Authority".
DEMOLITION CONTROL	Building Code Act 1(f) (Consumer & Commercial Relations) Ontario Building Code: 2.5.1.4 to 2.5.1.7 and Part 8		"demolition" means the doing of anything in the removal of a building or any material part thereof.
	P.A. 33		Section 33 of the Planning Act gives municipal councils the authority to decide whether a residential building in a defined area may be demolished. If council agrees, then the Building Code governs how the building should be demolished.
	Ontario Heritage Act (Citizenship and Culture)		Demolition of historically significant buildings can be controlled by designation under Part IV of the Ontario Heritage Act.
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES		
Design control	see Development control		
Developers' agreements	see IMPOSTS; AGREEMENTS		
Development control	see NIAGARA ESCARPMENT -; Site Plan Control: P.A. 40		
DEVELOPMENT PLAN	Ontario Planning and Development Act, 1973 (Municipal Affairs and Housing)		2. "Development plan" means a plan, policy and program, or any part thereof, approved by the Lieutenant Governor in Council, covering a development planning area or a portion thereof, as defined therein, designed to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts and maps describing the progam and policy. Sections 5 to 17 of the Act contain provisions relating to the preparation and implementation of a development plan. The Parkway Belt West Plan is the first plan to be prepared as a development plan.
Development road	see HIGHWAY -		
Discrimination	see HUMAN RIGHTS IN ACCOMMODATION		
Distilleries	see INDUSTRIAL NUISANCES		

Subject	Reference		Description and Notes
Domestic animals	see ANIMALS		
Downtown revitalization	P.A. 28-30 see also BUSINESS IMPROVEMENT AREA		
DRAINAGE	Drainage Act (Agriculture and Food)		The Act contains various provisions permitting individuals and municipalities to initiate and maintain drainage works.
		1(11)	"drainage works" includes a drain constructed by any means including improving a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.
		2-10	These sections describe procedures and requirements needed to construct mutual agreement, requisition, and petition drains.
		11-20	An engineer's report is required to determine the scope and nature of any drainage project to be undertaken.
- cost and benefit assessment		21-46	The assessment of the costs and benefits of the drainage works are estimated for the affected properties.
- appeals		47-59	Appeals regarding the technical aspects of drainage proposals may be taken to the Ontario Drainage Tribunal. Legal questions may be appealed to the referee.
- area levy		60-61	A council raising money to pay for drainage works must impose a special levy upon the land assessed for the works.
		83(1)	Except as authorized by an M.O.E. approved by-law, no person may discharge into a drainage works any substance other than unpolluted drainage water.
		85-90	Provincial grants to aid in the construction of drainage works range from 33 1/3% in counties to 80% in unorganized territories.
- expropriation	Expropriations Act 2(3) (Attorney General)		The Expropriations Act does not apply to land used under the authority of the Drainage Act.
- urban drainage	Municipal Act 210(74, 79 and 82) and 208 (13 to 17)		Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works. Section 9.14 of the Ontario Building Code applies to surface and subsurface drainage. The Ministries of Natural Resources, the Environment and Municipal Affairs and Housing have collaborated in the preparation of an "Urban Drainage Management Program" which provides information of value to municipalities and developers.
- agricultural drainage	Tile Drainage Act (Agriculture and Food)		This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario. Loans must be repaid in full, plus interest, if the land is taken out of agricultural use before the loan is repaid. Where a council refuses an application or reduces the amount applied for, the applicant may appeal the decision to the Ontario Drainage Tribunal.
DUMPING OF FILL	City of Windsor Act, 1980 see also CONSERVATION; PUBLIC LANDS -; NAVIGABLE WATERS		A Private Bill was passed in 1980 to authorize the City of Windsor to prohibit or regulate the dumping of fill in any area or areas of the City. Mississauga obtained similar legislation in 1982, applicable to areas not subject to regulations under secton 28(1)(f) of the Conservation Authorities Act.
Dumps	see WASTE DISPOSAL; LANDFILL		
Dwelling Unit	P.A. 33; see also HOUSING - family housing unit		

E

Subject	Reference	Description and Notes
EARLY CLOSING BY-LAWS	Municipal Act 211-214	
	see also HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Council may regulate the closing hours of shops, gas stations and hotels. "Shop" is defined.
EASEMENTS - conveying land	Conveyancing and Law of Property Act 15	Easements are included in the conveying of property.
	Limitations Act 31 (Attorney General)	No easement in respect of wires or cables attached to property or buildings or passing through or over such property may be acquired except from the owner.
- heritage	see CONSERVATION (CULTURAL) -	
	see also CONDOMINIUM	
Ecology	see ENVIRONMENTAL ASSESSMENT; WASTE MANAGEMENT	
ELDERLY PERSONS CENTRE	Elderly Persons Centres Act (Community and Social Services)	3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons.
		4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.
Elderly persons housing	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
ENCUMBRANCE	Condominium Act 1(o) (Consumer & Commercial Relations)	"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under the Land Titles Act, a mortgage and a lien.
	Land Titles Act (Consumer & Commercial Relations)	Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of the Land Titles Act.
ENERGY CONSERVATION - energy conservation area - energy use statement	City of Ottawa Act, 1980	A Private Bill was passed to enable the City to designate any area covered by an official plan as an energy conservation area. Development in such an area must be preceded by an approved energy use statement, unless that class of development has been exempted.
- energy conservation program	Power Corporation Act (Energy)	The Corporation is authorized to provide information, advice and inspection services in respect of the use of all forms of energy.
ENFORCEMENT OF BY-LAWS	Municipal Act 325	Where council has authority to require that something be done and the person required to do it fails to fulfill that obligation, council may do it at his expense and charge the cost to him on his tax bill. (Reference to this clause must be made in the enabling legislation relating to the specific authority).
- fines	Municipal Act 321	Council may impose fines of up to $2,000 for any municipal by-law infraction.
- action to restrain contravention of by-law	Municipal Act 326, 327	In addition to any other remedies, a by-law contravention may be restrained by a ratepayer, the corporation, or a local board. A court may make an order prohibiting the continuation or repetition of an offence.
	Provincial Offences Act, 1979 (Attorney General)	Part III provides for the laying of information before a Justice of the Peace and for a hearing in a Provincial court.
		"By-law Enforcement - An Administrative View" is a bulletin published by the Municipal Administration Branch, Ministry of Municipal Affairs and Housing. (Reprinted: March, 1985)
	Interpretation Act 27(b) (Attorney General)	"In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing".

Subject	Reference		Description and Notes
ENTRY ON PRIVATE PROPERTY			Some acts include specific reference to the authority to enter on private property. For instance, Section 31 of the Planning Act re: maintenance and occupancy or paragraph 39 of Section 210 of the Municipal Act re: fire matters. Other areas of legislation include no such reference and the courts would be required to determine if entry were legally permissible.
	see also HYDRO-ELECTRIC POWER -; PUBLIC WORKS; WEED CONTROL; AUTOMOBILE WRECKING YARD; SPILL; TRESPASS AND OWNER'S LIABILITY; BUILDING CODE ENFORCEMENT		
ENVIRONMENTAL APPEAL BOARD	Environmental Protection Act (Environment) Part XI		This Board hears appeals from applicants who have been refused approval or refused a licence or permit by a Director under the Environmental Protection Act, Ontario Water Resources Act or Pesticides Act.
	Ontario Water Resources Act 63, 64 (Environment)		An amendment to the Act introduced in 1983 refers to procedures for appeals to the E.A.B.
ENVIRONMENTAL ASSESSMENT	Environmental Assessment Act (Environment)		This Act provides for the assessment of the effects on the environment of public and private projects. "Environment" is defined to mean the human as well as the natural environment of Ontario. It includes natural, social, economic and cultural factors and their interrelationships.
			"Environmental assessment" is the identification, interpretation and evaluation of the effects of an undertaking and its alternatives on the environment.
		1(0)	An "undertaking" is defined as an enterprise or activity of the Ontario government, a municipality or defined public bodies or, if designated by regulation, a major commercial or business or enterprise or activity.
		5-6	No undertaking to which the Act applies may proceed unless the Minister has accepted the environmental assessment and approved the undertaking. The required content of an environment assessment is described in Section 5 of the Act. It is illegal to issue approvals, licences, etc. or make grants or loans or give guarantees for undertakings which require approval under the EA Act until the approval under the EA Act has first been issued.
		7	A review of an environmental assessment is prepared and released by the Minister of the Environment to the public. A period of 30 days is allowed for public review.
		9-11	If the Minister considers that the submitted environmental assessment is satisfactory to enable a decision regarding approval to be made, he will accept the environmental assessment. If, however, he considers it to be unsatisfactory, he may amend and accept the assessment after he has notified the proponent and certain other interested parties of this intention and after receiving further submissions from them. Before accepting an environmental assessment, the Minister may require the proponent to do further research, which is then incorporated as part of the environmental assessment.
- Hearings		7,12 13,14	An environmental assessment may be referred to the Environmental Assessment Board on receipt of a requirement for a hearing during the 30-day period following the Minister's giving notice that the review has been completed, or within 15 days of giving notice of proposal to amend. In such cases, the Board decides both on acceptance of the environmental assessment, and approval of the undertaking with or without conditions.
			Where the Minister has accepted an environmental assessment, the Minister may approve the undertaking with or without conditions or refuse it, or on receipt of a requirement for a hearing within 15 days of the notice of acceptance, it may be referred to the Board for a hearing and a decision on appoval.
		24	The Minister may designate provincial officers to make or require such tests or inquiries as are necessary to ensure the enforcement of the Act.
- exemptions		29	The Minister may, with Cabinet approval, exempt any undertaking from the application of the Act, where he is of the opinion that such exemption is in the public interest. Reasons for exemption are normally based on grounds of urgency, or where the undertaking is likely to have insignificant environmental effects.

E

Subject	Reference	Description and Notes
- regulations		40 Regulations may be made under this section: defining as major any commercial or business enterprise or activity; designating any such enterprise as an undertaking to which the Act applies; defining a body as a public body; exempting persons or undertakings from the Act or regulations.
	Regulation 293	The regulation exempts many provincial and municipal projects from the Act. Provincial projects which still require environmental assessment include: new provincial highways, sewage and water treatment plants, master plans for provincial parks, major provincial building complexes, Ontario Hydro electrical generating stations and transmission lines, waste disposal sites.
	O. Reg. 414/83 and 783/83	Provisions of the regulation also exempt certain activities of Conservation Authorities and the municipal sector. Both these sectors are subject to phased implementation under the regulation and were completely exempt until 1977 and 1980 respectively. Private sector undertakings are subject only if specifically designated. Information on the Environmental Assessment Act, designations, exemptions and guidelines appears twice yearly in E.A. Update, a periodical digest which may be obtained without cost by writing to E.A. Update, Environmental Assessment Branch, Ministry of the Environment, 135 St. Clair Avenue West, Toronto, Ontario, M4V 1P5. Guidelines on Presubmission Consultation in respect of projects are available from the same source. General Guidelines for the Preparation of Environmental Assessments are for sale at the Ontario Government Bookstore.
ENVIRONMENTAL ASSESSMENT ADVISORY COMMITTEE		This committee is appointed by the Minister to provide him with independent advice both on requests for exemptions from the Environmental Assessment Act and on request for the designation of undertakings under the same legislation.
ENVIRONMENTAL ASSESSMENT BOARD	Environmental Assessment Act (Environment) Part III see also HEARINGS	This Board makes decisions under the Environmental Assessment Act (when referred to for a hearing by the Minister), and recommendations under the Environmental Protection Act and the Ontario Water Resources Act, with respect to certain waste disposal matters and sewage works. Any decision of the Board under the Environmental Assessment Act can be altered, or a new hearing ordered, by the Minister with Cabinet approval. The hearing of the Board under the Ontario Water Resources Act and the Environmental Protection Act are governed by Sections 6 and 33 of the respective Acts.
ENVIRONMENTAL CONDITIONS		A set of guidelines for registering environmental conditions has been prepared by the Ministry of the Environment. It is designed to assist developers of subdivisions and condominiums and applicants for severances in fulfulling conditions of approval recommended by the ministry.
Environmental Protection Act	see SEWERAGE; WASTE MANAGEMENT; SPILL	
Erosion Control	see CONSERVATION (NATURAL ENVIRONMENT)	
Escarpment	see NIAGARA ESCARPMENT	
ESTHETICS	see Aesthetics	
Exemptions from taxation - areas or property	see ASSESSMENT	
EXPLOSIVES	Municipal Act 210(8-17) see also DANGEROUS MANUFACTURES	Council may regulate the storage of inflammable or explosive substances and may prohibit the manufacture of such substances.
Expressway	see HIGHWAY -	

Subject	Reference		Description and Notes
EXPROPRIATION	Municipal Act	5	Unless otherwise expressly stated, when in any Act a municipality is given the power to acquire land, it includes the power to expropriate.
		192-195	Council may pass by-laws to expropriate land. If the land is in another municipality, O.M.B. approval is required.
	Expropriations Act (Attorney General)		Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.
		9	Where appropriate, land may be expropriated for a limited period.
		13	Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.
- relocation costs		18(1)	The expropriating authority must pay to an owner such reasonable costs as are the natural and reasonable consequences of the expropriation, including moving costs, legal and survey costs incurred in acquiring other premises, compensation for inconvenience and an allowance for improvements not reflected in market value. Tenants may also be eligible for compensation for disturbance and the loss of a lease.
- Land Compensation Board		26,28	A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal.
		31	When a landowner agrees to the acquisition of his land by a statutory body his compensation may be determined by arbitration at the O.M.B.
- expropriation plan	Registry Act (Consumer and Commercial Relations)		O/Reg. 898, sections 36 to 44, applies to expropriation plans.
- public works	Ministry of Government Services Act		The Minister may expropriate land on behalf of other ministries or government agencies.
	Expropriation Act (Federal: Public Works)		The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.
	see also HOUSING -; DRAINAGE -		
Extension or enlargement of non-conforming use	P.A. 44(2)(a)(1)		

F

Subject	Reference		Description and Notes
Family housing unit	see HOUSING -		
Farm	see AGRICULTURAL HOLDING; HOUSING		
Farm buildings	see BUILDING CODE		
FENCES	Municipal Act 210(18-23), (32) and (31)		Council may prescribe the height and description of lawful fences and may prohibit wooden fences and require vacant lots to be enclosed. S.23 refers in more detail to fences around private swimming pools.
	Snow Roads and Fences Act (10-12) (Municipal Affairs and Housing)		Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.
	Line Fences Act, 1979 (Municipal Affairs and Housing)		The 1979 Act is a major update of the previous Act. Provision is made for the construction of boundary fences between adjoining lands and for arbitration by fence-viewers in case of dispute. If necessary, fence-viewers may prescribe the character of a fence to suit the circumstances.
	Public Transportation and Highway Improvement Act 30(8)		The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see HIGHWAY).
	Limitations Act 4 (Attorney General)		In order to recover land upon which a neighbour's fence encroaches, action must be taken within 10 years.
	see also OBSTRUCTION OF VIEW; P.A. 40(7)(a)6		"Good Fences Make Good Neighbours" is a bulletin on administrative practices and procedures related to line fences, available from the Ontario Government Bookstore.
			"Fences in Ontario" is a comprehensive study of the legal aspects of fences, published by Municipal World Limited.
FERRIES	Public Transportation and Highway Improvement Act 100		The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.
	Ferries Act (Transportation and Communications)	1	The Lieutenant Governor may license a ferry under the Great Seal for a term of up to seven years at a time.
		5	A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lieutenant Governor in council. A county council has similar power for an operation between different municipalities.
Fill	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT		
FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS			The "red book" published by the Subsidies Branch of the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore gives a comprehensive overview of financial assistance available from all provincial ministries and agencies.
Fines	P.A. 66; see also ENFORCEMENT OF BY-LAWS		
FIRE MATTERS	Fire Marshals Act (Solicitor General)		The Fire Code, enacted in 1981 as a regulation pursuant to this Act, consolidates regulations from some 63 separate Acts. It includes a minimum width (20 feet or six metres) and other standards for access routes for fire department vehicles. It supersedes municipal by-laws and is designed to provide a minimum level of life safety in existing buildings.
- access routes			
- Building Code	Building Code Act O/Reg 583/83 Sec. 3.2.5		Fire safety in new construction is governed by the Building Code. It includes references to the location and width of access routes. When construction is completed, the Fire Code deals with ongoing operations and activities in the building.
	Municipal Act 210(24-45)		Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.
	Fire Department Act (Solicitor General)	1-10	Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people.
		11	This Act prevails over municipal by-laws.
	see also DANGEROUS MANUFACTURES		

Subject	Reference		Description and Notes
Fixed assessment	see PARKWAY BELT; NIAGARA ESCARPMENT		
Flood control	see CONSERVATION (NATURAL ENVIRONMENT); DRAINAGE		
Flood lighting	P.A. 40(7)(a)(5)		
FLOODPLAIN	P.A. 34(1)3: see also CONSERVATION (NATURAL ENVIRONMENT)		A provincial policy statement under Section 3 of the Planning Act is being prepared jointly by the Minister of Natural Resources and the Minister of Municipal Affairs and Housing. It will replace the Flood Plain Criteria published in 1982 by M.N.R.
Food Land Guidelines	see AGRICULTURAL LAND		
Footpaths	see BICYCLE AND FOOTPATHS		
FOREIGN LAND SALES	Real Estate and Business Brokers Act (Consumer & Commercial Relations)	37	In this Act, "subdivision" means improved or unimproved land divided or proposed to be divided into five or more lots or other units for the purpose of sale or lease and includes land divided or proposed to be divided into condominium units.
- subdivisions			
- prospectus		38	No subdivision lot outside Ontario may be sold in Ontario until a prospectus has been filed with the Registrar of Real Estate and Business Brokers.
		39	No sale or lease of an out-of-province subdivision lot may be concluded unless the purchaser has signed an acknowledgement that he has read the prospectus approved by the Registrar. Rescission of the contract may be demanded by the purchaser within 90 days, if the vendor has not obtained such an acknowledgement.
		40	A prospectus application must include financial particulars of the owners. The prescribed form of prospectus requires the provision of information on hard and soft services available as well as the physical characteristics of the land.
Foreign Ownership	see AGRICULTURAL LAND -		
Forests	see WILDERNESS; WOODLANDS; TREES		
Forest road	see HIGHWAY -		
Freeway	see HIGHWAY -; NOISE		
FUNERAL SERVICES ESTABLISHMENT	Funeral Services Act (Health)	1(e)	"Funeral Services Establishment" means a premises established or maintained for the purpose of providing funeral services or funeral supplies to the public.
		33(1)(r)	Subject to cabinet approval and the Minister's prior review, the Board of Funeral Services may make regulations governing the construction, location, maintenance, etc. of funeral services establishments.
FUR FARMS	Fur Farms Act (Agriculture and Food)	1(c)	"Fur farm" means premises where fur bearing animals are kept in capitivity for propagation or the production of pelts for commercial purposes.
		3	All fur farms must be licensed and are governed by regulations.

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Subject	Reference	Description and Notes
GARAGE	Municipal Act 210	139 Council may regulate the location of garages, stables, barns, outhouses and manure pits.
		149 The power to regulate public garages does not include provisions touching the amenities of the premises. A court case published in Municipal World of May, 1981, illustrates this point. (Texaco Canada Limited v The Corporation of the City of Vanier, Supreme Court of Canada)
		152 Council may limit the number of service stations and public garages.
	Highway Traffic Act 1(1)12	"garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
	Ontario Building Code	Section 9.36 applies to garages and carports serving a single dwelling unit.
	see also SERVICE STATION; AUTOMOBILE WRECKING YARD	
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Garbage Storage	P.A 40(7)(a)(7)	
GASOLINE PUMP - private	Gasoline Handling Act 1(c) (Consumer & Commercial Relations)	"Consumer outlet" means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet.
	see also HIGHWAY - King's - gas pumps; OBSTRUCTION OF VIEW	
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
GEOGRAPHIC NAMES	Ontario Geographic Names Board Act (Natural Resources)	The Ontario Geographic Names Board is the statutory authority responsible for the control of names given to geographic features and unincorporated places. The board exercises authority over all place names not governed by other statutes.
Geographical referencing	see ONTARIO CO-ORDINATE SYSTEM	
Go-karts	see MOTOR VEHICLE RACING	
Golf course	see ASSESSMENT -	
Grade separation	see RAILWAY GRADE SEPARATION	
Grading	P.A. 40(7)(a)9, 58	
Grants	see FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS; MUNICIPAL GRANTS	
Gravel pit	see MINERAL AGGREGATES	
GROUP HOME	Municipal Act 236	Council may pass a by-law requiring the registration of group homes; and enforce a policy of separation between them, provided there is a zoning by-law in effect permitting group homes.
		The following definition is recommended for use in planning documents. It appears in the "Group Homes Resource Manual", available from the Ontario Government Bookstore. ($5.)
		"A group home is defined as a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or receiving family) live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal bylaws."
	see also HEALTH AND SOCIAL SERVICE INSTITUTIONS - children's residence	
GUIDELINES		A series of guidelines on matters related to the Planning Act has been published by the Ministry of Municipal Affairs and Housing. The subjects include planning advisory committees, local planning in northern Ontario, delegation of the minister's authority, community improvement, working with the new regulations, public notice policies, planning application fees, zoning, site plan control, official plans, minor variances and non-conforming uses. Reference to these and other guidelines may be found under the subject heading (noise, environmental assessment, etc.)

Subject	Reference		Description and Notes
HARBOURS	Government Harbours and Piers Act (Transport Canada)	3	This Act does not apply to any harbour under the control of the National Harbours Board or of any commissioners appointed by Parliament (Toronto, Hamilton, etc.)
		4	The Act applies to the use, maintenance and ordinary repairs of all other Federal harbours, wharfs, piers and breakwaters.
	Harbour Commissions Act (Transport Canada)	3	This Act provides for the establishment of harbour commissions for any harbour not named in the National Harbours Act or for which a harbour commission has not otherwise been established by Parliament.
		4	The proclamation establishing a harbour commission must define the limits of the harbour.
		9	A Commission "shall regulate and control the use and development of all land, buildings and other property within the limits of the harbour, and all docks, wharfs and equipment erected or used in connection therewith".
		13,19	A Commission may make by-laws regulating or prohibiting the construction of buildings or other structures, and may expropriate land. In an Ontario Supreme Court decision respecting Hamilton Harbour, the Court ruled that the authority of the Harbour Commission to regulate land use was restricted to navigation and shipping purposes. Lands within the harbour limits not intended for navigation and shipping uses are subject to municipal land use regulation. (e.g. industrial lands).
	Municipal Act 208(31-38)		Council may regulate, maintain and improve harbours.
HAZARD LAND	P.A. 2(a)(b), 50(4)(d)(h), 34(3)		An official plan must have regard to such environmental matters as appear to be relevant...; a plan of subdivision must be reviewed with regard to conservation of natural resources and flooding; and a zoning by-law may prohibit the erection of buildings or structures on land subject to flooding or of unstable character.
	see also CONSERVATION (NATURAL ENVIRONMENT)		
Hazardous waste disposal	see INDUSTRIAL NUISANCES, WASTE MANAGEMENT -		
HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution	Charitable Institutions Act (Community & Social Services)	1(c)	"Charitable Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for persons requiring residential, sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).
- hostel		(e)	"Hostel" means a charitable institution for the temporary care of transient or homeless persons.
		2	All charitable institutions must be approved by Cabinet.
		6,7	Grants may be made by the Minister to an institution or hostel for building purposes and for acquiring buildings.
		8	Maintenance grants equal to 80% or more of the cost may be paid to charitable institutions.
		12	Cabinet may make regulations governing charitable institutions.
- children's residence	Child and Family Services Act, 1984 (Community and Social Services)	175(a)	"children's residence" means, (i) a parent model residence where five or more children not of common parentage, or (ii) a staff model residence where three or more children not of common parentage, live and receive residential care, and includes a foster home or other home or institution that is supervised or operated by a society, but does not include, (iii) a house licensed under the Private Hospitals Act, (iv) a day nursery as defined in the Day Nurseries Act, (v) a recreational camp under the Health Protection and Promotion Act, 1983, (vi) a home for special care under the Homes for Special Care Act,

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Subject	Reference	Description and Notes
		(vii) a school or private school as defined in the Education Act,
		(viii) a hostel intended for short term accommodation,
		(ix) a hospital that receives financial aid from the Government of Ontario, or
		(x) a group home or similar facility that receives financial assistance from the Minister or Correctional Services but receives no financial assistance from the Minister under this Act;
- community psychiatric hospital	Community Psyciatric Hospitals Act (Health)	3 Cabinet may establish hospitals for the care of persons suffering from emotional or psychiatric disorders and any part of any institution may be approved as a community psychiatric hospital.
		7 A community psychiatric hospital is not subject to assessment or taxation for municipal or provincial purposes.
		9 Cabinet may make regulations governing community psychiatric hospitals.
- day nursery	Day Nurseries Act (Community & Social Services)	1(d) "Day Nursery" means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,
		i. under eighteen years of age in the case of a day nursery for children with a developmental handicap, and
		ii. under ten years of age in all other cases,
		but does not include,
		iii. part of a public school, separate school, private school or a school for trainable retarded children under the Education Act,
		iv. a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 8b of the Ministry of Culture and Recreation Act, or
		v. a children's mental health centre under the Children's Mental Health Services Act.
		3,4,5 A municipal council may establish day nurseries and grant them aid and may enter into agreements with operators for the furnishing of day nursery, private home day care and in-home services. The Minister has similar powers in unorganized territory.
- home for retarded persons	Homes for Retarded Persons Act (Community & Social Services)	1(d) "Home for Retarded Persons" means all or any part of a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include...(a list follows of institutions governed by their own Acts).
- home for special care	Homes for Special Care Act (Health)	1(a) "Home for Special Care" means a home for the care of persons requiring nursing, residential or sheltered care.
- home for the aged	Homes for the Aged and Rest Homes Act (Community & Social Services)	1(c) "Home" means a home for the aged established or maintained under this Act or a rest home established and maintained under this Act.
- Indian Band	Homes for the Aged and Rest Homes Act Community & Social Services)	5 The Council of a band may: (a) establish and maintain a home; or (b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home, with the approval in writing of the Minister.
- mental hospital	Mental Hospitals Act (Health)	1(a) "Approved Home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.
		1(e) "Institution" means an institution under this Act, and includes every approved home connected therewith.
		2 This Act applies to such institutions as are designated from time to time by the regulations.
- private hospital	Private Hospitals Act (Health)	1(b) "House" means a building or other structure, whether permanent or temporary, intended for human habitation and, where two or more houses are situated on adjacent pieces of land and are occupied by the same person, they shall be deemed to constitute a single house for the purpose of this Act.

Subject	Reference		Description and Notes
		1(h)	"Private Hospital" means a house in which four or more patients are or may be admitted for treatment, other than, i. a hospital or other establishment or institution supported in whole or in part by provincial aid, ii. an institution in respect of which a license under the Private Sanitaria Act is in force, iii. an institution for the reclamation and cure of habitual drunkards established under the Municipal Act, iv. a children's residence licensed under Part IX (Licensing) of the Child and Family Services Act, 1984 v. a lodging house licensed under a municipal by-law.
		18	No structural alteration or addition may be made to a private hospital until a plan of the proposed alteration or addition has been approved by the Ontario Hospital Services Commission.
- public hospital	Public Hospitals Act (Health)	1(e)	"Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.
		4	No hospital may be established without Cabinet approval. No addition may be made to a hospital without the approval of the Minister.
- nursing home	Nursing Home Act (Health)	1(f)	"Nursing Home' means any premises maintained and operated for persons requiring nursing care. "Nursing Home" means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of, ... the Private Hospitals Act, ... the Homes for the Aged and Rest Homes Act, etc.
		3	No person may establish a nursing home or use the term "a licensed nursing home" unless it is licensed under this Act.
- sanitarium	Private Sanitaria Act (Health)	1(g)	"Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under this Act.
- sanatorium	Sanatoria for Consumptives Act (Health)	1(f)	"Sanatorium" means any sanatorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients.
Health unit	see PUBLIC HEALTH -		
HEARINGS	Statutory Powers Procedure Act (Attorney General) P.A. 60		This Act sets rules for hearings whose outcome may affect the legal rights of individuals. It formalizes certain principles of natural justice to ensure hearings are conducted fairly. Those municipal meetings required for official plans, community improvement plans and zoning bylaws are exempted from the requirements of the Statutory Powers Procedure Act. The Planning Act itself provides for procedures on each of the planning instruments. It also clarifies that a municipality is not obligated to conduct an OMB-type hearing.
	Consolidated Hearings Act (Environment)	2,4	The Act applies in respect of undertakings (defined in section 1(j)), where more than one hearing before more than one tribunal may be required under the provisions of one or more Acts (listed below). It provides for a single consolidated hearing to be held by a joint board for that undertaking, rather than a series of hearings, and the joint board can make a decision, in place of the decisions which would have been made at or after those hearings under the various Acts.
		3	At present, a consolidated hearing is held only when a proponent gives Notice to the Hearings Registrar. There is provision for other persons to give such a Notice but this provision will only come into effect on a date to be named in a proclamation. The Notice specifies the general nature of the undertaking, the hearings that are required, and the Act under which those hearings are required.
- joint board		4	Upon receipt of such Notice, the Chairman of the Environmental Assessment Board and the Ontario Municipal Board establish a joint board composed of one or more member members from one or both Boards.
		7,8	Of particular note is the fact that the joint board may award the costs of a proceeding, and may recognize a person as representing a class of parties.

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Subject	Reference		Description and Notes
		13	After a decision has been made by the joint board, Cabinet may, upon application, confirm, vary, rescind or substitute the decision, or require a new hearing. Such application must be made within 30 days after the decision by the joint board.
		14	If no such application is made, the joint board's decision is final.
		Schedule	The Acts to which the Consolidated Hearings Act applies are: the Environmental Assessment Act, the Environmental Protection Act, the Expropriations Act (Sections 6, 7 and 8), the Municipal Act, the Niagara Escarpment Planning and Development Act, the Ontario Municipal Board Act, the Ontario Water Resources Act, the Parkway Belt Planning and Development Act, and the provisions of the following Acts relating to waste disposal site hearings: the Municipality of Metropolitan Toronto Act, the Regional Municipality of Ottawa-Carleton Act, the Regional Municipality of York Act. To date, Joint Boards have held preliminary hearings or hearings of discovery, in which parties to the proceedings are identified and the issues to be heard are clarified. Use of the Consolidated Hearings Act frequently occurs where an Ontario Municipal Board hearing for a re-zoning or an official plan amendment or municipal capital financing approval may be needed for a project which is also subject to the Environmental Assessment Act, or to the hearing provisions of the Ontario Water Resources Act (for sewage works) or the Environmental Protection Act (for waste disposal projects).
	See also PUBLIC PARTICIPATION		
Heritage conservation district	see CONSERVATION (CULTURAL) -		
Heritage easement	see CONSERVATION (CULTURAL) -		
HIGHWAY	Municipal Act 298-308		This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 20 metres in width may be laid out by council or a land owner without the approval of the Minister of Municipal Affairs and Housing. (306)
- minimum width			
- access to property			A road may not be closed if it would deprive a person of access to his property, unless compensation is paid and an alternative means of access is provided. (299)
- assumption			Registration of a plan of subdivision does not automatically mean the highways are assumed by the Corporation. (286) A Ministry of Municipal Affairs and Housing booklet entitled "Public Road Allowances - a Procedural Guideline" (May, 1981) is available from the Ontario Government Bookstore.
	Off-Road Vehicles Act, 1983 (Transportation and Communications)	1(b)	"highway", includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
	Public Transportation & Highway Improvement Act	1	Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.
- King's Highway		31	Access to a King's Highway is controlled through a permit issued by the Minister.
		34	The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 45 metres of any King's Highway and within 180 metres of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within 400 metres except by permit from the Minister.
- connecting link		21	Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.

Subject	Reference	Description and Notes
- controlled access highway		36-39 Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 180 metres to 395 metres.
- controlled access road		96-98 A municipality may, with approval of the Minister and the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- secondary highway		40 All the provisions applying to a King's Highway apply also to a secondary highway.
- tertiary road		41 An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for a King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- resource road		42 A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road		43 A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.
- county road		44-61 Various provisions relating to the establishment and maintenance of a county road system, including bridges. A county is not liable for sidewalks.
- zoning		62 A county has, with respect to land within 45 metres of a county road, all the power conferred on a local municipality by Section 34 of the Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs		63 A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 45 metres and advertising signs within 400 metres of a county road. (See also OBSTRUCTION OF VIEW).
- suburban road		65-71 Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the surburban roads commission. Suburban roads continue to be county roads.
- township road		72-77 Various provisions relating to grants, cost sharing with a neighbouring town, etc.
- resort subdivision		78 A township council may levy a higher road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval).
- city, town, village road		79-86 Various provisions relating mainly to subsidies.
- district, metropolitan, or regional road		87-89 Various provisions relating mainly to subsidies.
- development road		90 If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it
- expressway		99(a) "Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and,where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.
- freeway		99(b) "Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.
- access road and common road	see MOTOR VEHICLE ACCESS TO PRORERTY	
- forest road	Public Lands Act (Natural Resources)	45-52 Private and public forest roads on public lands are defined. The right-of-passage over these roads is also defined and Ministerial agreements to secure public right-of-passage on private forest roads are also explained.
- use of space over or under a highway	Municipal Act 309(4)	Council may make agreements for pedestrian walkways over or under a highway.
	Public Transportation & Highway Improvement Act 2(3)	The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.

H

Subject	Reference		Description and Notes
- leasing use of untravelled *portions*	Municipal Act 310		Council may lease or license the use of untravelled portions of highways under its jurisdiction to the owners of abutting land; the use of that land may be controlled for parking or other purposes.
- jurisdiction		257-272	These sections describe what constitutes a public highway and clarify that a council of a municipality has jurisdiction over the public highways and bridges in that municipality, unless that jurisdiction has been expressly conferred upon another council.
	see also ROAD...; OBSTRUCTION OF VIEW; BICYCLE AND FOOTPATH; PRIVATE ROAD - snow-plowing; SETBACKS; BOULEVARDS: NOISE		
- Historic preservation	see CONSERVATION (CULTURAL)		
HISTORICAL PARK	Historical Parks Act (Tourism & Recreation)		This Act provides for the establishment and management of parks in the nature of outdoor museums, such as Saint Marie among the Hurons and Old Fort William. "Historical Park" is also a class of park defined by the Ministry of Natural Resources pursuant to the Provincial Parks Act, but it refers to a different type of park, such as the Petroglyphs Park.
	Historic Sites and Monuments Act (Federal)		
Holding by-law	P.A. 35		
HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Retail Business Holiday Act (Solicitor General)		This Act establishes certain holidays on which retail businesses are to be closed. The exceptions include small grocery stores, milk stores, news and tobacco stands, drug stores, antique shops, flower shops, garden centres, fruit and vegetable stands, service stations and others permitted by the Lord's Day Act (Canada) and the lord's Day Act (Ontario).
		4(i)	Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by by-law provide that section 2 (enforcing the retail closings) does not apply, such a by-law or regulation (exempting certain businesses) may classify retail business establishments by size, number of persons employed, character of business, location or any other criterion.
	see also EARLY CLOSING BY-LAWS		
Home for Retarded Person Home for Special Care Home for the Aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS		
Home Improvement loans	See Housing -		
HOME OCCUPATION	Industrial Safety Act (Labour)	1.12	"Homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation.
Home ownership loans	see HOUSING -		
Home renovation	see HOUSING - rehabilitation, conversion		
Hospital	see HEALTH AND SOCIAL SERVICES INSTITUTIONS - mental hospital - private hospial - public hospital		
Hostel	see HEALTH AND SOCIAL SERVICE INSTITUTIONS charitable institution		

Subject	Reference		Description and Notes
HOTEL	Hotel Fire Safety Act (Solicitor General)	1(b)	"Hotel" means an establishment consisting of one building or two or more connected or adjacent buildings that provides sleeping accommodation for the public and is licensed or required to be licensed under the Tourism Act or the Liquor Licence Act, but does not include a one storey building that, i. has a total floor are of less then 3,000 square feet, ii. is not attached to any other building, and iii. is at least thirty feet distant from any other building that is a hotel within the meaning of this clause.
		1(g)	"Storey" means that part of a building between the top of a floor and the top of the next floor above it, or if there is no floor above it, that part between the top of a floor and the ceiling above it, but does not include a penthouse that is not used by the public, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey.
		9	The interior and exterior finish materials of every hotel must meet the standards prescribed by the regulations made under this Act.
		19	Regulations under this Act may govern, among other matters, the construction and alteration of hotels.
		20	Where conflict exists between any regulation made under this Act and any municipal by-law, the regulation prevails.
HOUSING - OHC	Ontario Housing Corporation Act		This Act establishes the Corporation, which may make loans, grants, etc., or enter into agreements for which the Minister or the cabinet are authorized under the Housing Development Act.
- OHRP	Housing Development Act	1	"Building development" and " building development corporation" are defined. In this Act, "municipality" includes a regional municipality.
- rent supplement		2	Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal. Provision is made for financial assistance for rent supplements, mortgages, etc.
- grants or loans			The Minister may make grants or loans to a municipality or persons to assist in the repairs, rehabilitation, improvement or conversion of real property used or to be used for residential purposes.
- research grants, municipal housing statements		3	The Minister may make grants in aid of housing studies and research. (This is administered by the Field Operations Branch, Ontario Housing Corporation).
- joint projects		7	Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.
- expropriation		8	The Ministery may expropriate land for a housing project.
- municipal non-profit housing corporation		13	A municipality may establish one or more non-profit housing corporations to provide and operate housing accommodation at rentals below the current market for persons of modest income.
		17	If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may, (a) acquire and hold land, with or without holdings thereon within the municipality for the purpose of a housing project, (b) survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project; and (c) sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.
- adjoining land		18	A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.
- temporary projects		19	In an emergency, a municipality may erect temporary housing accommodation.

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Subject	Reference		Description and Notes
- Ministry of Municipal Affairs and Housing	Ministry of Municipal Affairs and Housing		This Act establishes the Ministry and describes its functions and objectives in very broad terms.
	National Housing Act (C.M.H.C.)	2	The Act includes several pages of definitions, including the following:
- family housing unit			"Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.
- farm			"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.
- house			"House" means a building, together with the land upon which it is situtated, intended for human habitation comprising not more than two family housing units.
- housing project			"Housing project" means a project consisting of one or more houses, one or more multiple-family dwellings, housing accommodation of the hostel or dormitory type, two or more condominium units or any combination thereof, together with any public space, recreational facilities, commercial space and other buildings appropriate to the project, but does not include a hotel.
- multiple-family dwelling			"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling			"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling			"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12	Part I deals with insured mortgage loans.
- rental housing	Part II	13	C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units.
		14	The above rental housing projects may be financed to 85% of their cost.
- low rental housing		15	Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project. (The program is currently inactive.)
- non-profit or community sponsored housing	see also COMMUNITY IMPROVEMENT	15.1	For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project.
		16	C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing.
- urban renewal	Part III	27	Funds have been cut off. See URBAN RENEWAL.
- home improvement loans	Part IV	28-33	C.M.H.C. may guarantee bank loans for home improvement.
- Residential Rehabilitation Assistance Program (R.R.A.P.)	Part IV.1	34.1	Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted. Loans may also be made to non-profit corporations to convert dwellings to multiple occupancy, hostels, etc., and to Indian individuals, groups or a band council, with the consent of the Minister of Indian Affairs and Northern Development.
- home ownership loans		34.15	Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- co-operative housing		34.18	Loans or contributions may be made to assist co-operative housing associations. (Currently inactive.)
- research, etc.	Part V	35	C.M.H.C. is responsible for research into housing conditions, for the promotion of improved housing and for encouraging the adoption of community plans. Grants are available under the community organization program.
		36,37	More specific descriptions of C.M.H.C. powers and responsibilities re section 35.

Subject	Reference		Description and Notes
- public housing	Part VI	40	C.M.H.C. may undertake public housing projects jointly with any provincial agency.
- rural housing programs			Two programs are active: (a) The provision of ownership accommodation for low income families in communities of under 2500 population. Administered by C.M.H.C. Subsidies shared by the Province and the Federal government. (b) The provision of senior citizen rental units in communities of under 2500 population. Administered by the Ontario Housing Corporation, managed by local housing authorities. Subsidies shared by the Province and the Federal Government.
- land assembly		42-43	C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire pulbic housing (Maximum 90%). (Inactive.)
		44	C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.
- new communities	Part VI.1	45.1	See NEW COMMUNITIES.
- student housing	Part VII	47	C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- water and sewerage projects	Part VIII	50	See WATERWORKS; SEWERAGE; COMMUNITY IMPROVEMENT.
- rent subsidy		56.1	Canada Mortgage and Housing Corporation may make contributions to reduce rents in housing projects operated by a non-profit corporation, a province, a municipality, a public housing agency or an Indian group.
- veterans'	see HOUSING - National Housing Act, sec 15.1, 34.15, 34.16; VETERANS' LAND		
HUMAN RIGHTS IN ACCOMMODATION	Human Rights Code, 1981 (Labour)		The Code includes provisions for equal treatment in the occupancy of accommodation, without discrimination because of race, ancestry, colour, creed, sex, handicap, age, origin or receipt of public assistance.
HYDRO-ELECTRIC POWER	Power Corporation Act (Energy)		This Act describes the authority and function of Ontario Hydro, in general terms (51), and more specifically:
		23(1)	Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent; and to divert any watercourse.
		32(2)	Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.
- entry on private property		63,72	Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power.
		67	A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.
- area rate		82	A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate.
		83	All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.
- underground wiring		104-106	Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.
	Rural Hydro-Electric Distribution Act (Energy)	1,2	Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.
	see also P.A. 61		

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Subject	Reference	Description and Notes
IMPOSTS	Municipal Act 166	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 215	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
	see also CAPITAL LEVIES; AREA RATES	
IMPROVED LAND	Municipal Affairs Act 20(a)	"Improved Land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 357-359	A municipal entity like a township or village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
	Municipal Affairs Act Part III	An improvement district is under the direct supervision of the Ministry of Municipal Affairs and Housing.
Improvement permit	see PUBLIC LANDS - restricted area	
INCINERATORS	Municipal Act 210(44)	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966.
	Waste Management Act Regulation II	Regulation II relates to standards of location and operation.
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 78 see also MUNICIPAL CODE	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land.
	Registry Act 1(f) (Consumer and Commercial Relations)	Any municipal by-law that affects land may be registered as an instrument.
INDEX OF STATISTICAL FILES		This publication contains descriptive information on the main statistical data files in the Ontario government. A useful reference document for information officers, researchers and others needing to know what statistical material may be obtained from government sources. It describes the contents of each statistical file and gives the originating Ontario government agency. For ease of reference all files are cross-indexed by subject. Price $5.00, from the Publications Centre, 880 Bay Street, Toronto.
Index Plan	see REGISTRAR'S COMPILED PLAN	
Indian Band - home for the aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
INDUSTRIAL NUISANCES	Municipal Act 210(128)	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance.
	Public Health Act 130	Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for a fine of up to $250, plus $20 per day.
Industrial Park	see INDUSTRIAL SITES	
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	

Subject	Reference	Description and Notes
INDUSTRIAL SITES	Municipal Act 210(50)	Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use.
	Development Corporations Act 8	The Ministry of Industry and Trade Program of assistance to municipalities for the establishment of industrial parks was terminated on March 31, 1984.
Industrial Waste	see WASTE MANAGEMENT	
INHIBITING ORDER	LAND TITLES ACT 23 (Consumer & Commercial Relations)	The Supreme Court, the director of titles or the proper master of titles may issue an order or make an entry inhibiting any dealing with registered land until the occurrence of a named event or a further order. Upon application, the court or the director or master of titles would normally make enquiries and notify such persons as considered necessary before issuing an order or making an entry.
Interim Control By-law	P.A. 37	
INTERPRETATION	Interpretation Act (Attorney General)	Where an Interpretation Section exists in any act, such as the definitions in the Municipal Act, it applies in addition to the definitions, rules and exceptions in the Interpretation Act. The interpretation section of the Municipal Act extends to all Acts relating to municipal matters.

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Subject	Reference	Description and Notes
Joint board	see HEARINGS -	
JOINT PLANNING AREA	P.A. 9	Under the new Planning Act, the only remaining planning areas are joint planning areas in northern Ontario and areas made up entirely of unorganized territory. Guideline 2 on the Planning Act, entitled "Local Planning in Northern Ontario" deals with joint planning.
JUDGE'S ORDER	Registry Act 86 (Consumer & Commercial Relations)	Upon the application of a municipality, a county or district court judge may cancel in whole or in part any registered plan, or may close or divert a road on a registered plan, impose terms and conditions, etc. No part of any road or lane may be closed or diverted without the written consent of the owner of the abutting lot(s). No order may be made to amend a plan approved under Section 50 of the Planning Act without the prior consent of the Minister responsible for the Planning Act.
JUDGE'S PLAN		The provision in the Land Titles Act for a Judge's Plan has been deleted. Problems with inadequate boundary descriptions are now handled under the Boundaries Act. A judge's plan was similar to a Registrar's Compiled Plan but was ordered by a Judge on application of the Director of Titles.
JUNK YARDS	Municipal Act 228	Council may license and regulate salvage yards, junk dealers, car wreckers, etc.
	Public Health Act 131	Any place where junk, rags, bones, refuse, etc. are stored must be approved by the medical officer of health.
	see also AUTOMOBILE WRECKING YARDS	

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KING'S HIGHWAY	see HIGHWAY -	

Subject	Reference		Description and Notes
LAKES AND RIVERS	Lakes and Rivers Improvement Act (Natural Resources)	2	Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for: (a) the preservation and equitable exercise of public rights in or over such waters; (b) the protection of the interests of the riparian owners; (c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters; (d) the preservation of the natural amenities of such waters and on the shores and banks thereof; and (e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a, b, c, and d, their operation in a reasonable manner.
		3	The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is $5,000.
- dams		13-29	No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.
- aesthetics		35-36	The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.
- pollution from a mill		38	The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than $50 per day.
- occupied water privilege		90	"Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bona fide in course of construction.
Land Assembly	see HOUSING - municipal housing projects, - land assembly; INDUSTRIAL SITES; P.A. 25, 57-59; EXPROPRIATION; ONTARIO LAND CORPORATION		
Land Compensation Board	see EXPROPRIATION -		
Land Division Committee	P.A. 54 and 55		
LAND REGISTRATION	Registry Act and Land Titles Act (Consumer & Commercial Relations)		There are two land registration systems in Ontario: the Registry System and the Land Titles System. The fundamental purposes of both systems are to give public notice of interests which are claimed in land, to establish priorities between claimants to land, and to provide an orderly method of recording and of registers where title can be searched. The Registry System is a registry of documents affecting the title of land or an indexed filing system for real property. It ensures that most outstanding interests will be shown on the abstract but a purchaser must still satisfy himself by title search of the legal effect of the registered instruments. Almost any document purporting to affect the title of land may be accepted for registration in a registry office, provided it complies with certain formalities regarding execution, affidavits and description. The Land Titles System is a true register of titles, which authoritatively establishes title. No transfer is effective until recorded but, once this is done, it cannot, apart from fraud, be upset. The title is guaranteed by the Province, backed by an Assurance fund, and no one can acquire rights through mere possession or use of the land. The types of documents acceptable for registration are few in number and must be in the form prescribed by the Act. There is no rule of general application by which it can be determined if a parcel is under one system or the other. The Registry System is the older and originally applied to the entire province. Nearly all of Northern Ontario is under the Land Titles System, which was introduced in 1885 when very little development had occurred in the north. In Southern Ontario, land becomes subject to Land Titles by the voluntary act of the owner in applying to the land registrar for registration under that Act. However, many areas of the province operate exclusively under the Registry System and have no Land Titles Office. (See Directory of Registry and Land Titles Offices in the Municipal Directory). Subdivision of land by registered plan is virtually the same under the two systems. If part of a lot or block is being conveyed, only under Land Titles must an affidavit be filed showing compliance with Section 50 of the Planning Act. Under the Registry System this requirement is waived because it is fairly easy for a title examiner to ascertain ownership of adjoining parcels.
- Land Titles Procedural Guide			

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Subject	Reference	Description and Notes
	Land Registration Reform Act, 1984 (Consumer and Commercial Relations) O.Reg. 35/85 P.A. 49 (21a)-(21d)	The regulation under this Act prescribes new forms to be used for all instruments registered and documents deposited under both the Registry Act and the Land Titles Act. The Act creates five standard types of documents: a) Transfer/deed of land, b) Charge/mortgage of land, c) Discharge of charge/mortgage, d) Document general, e) Schedule. Unless these forms are used no registrations in either the land titles or the registry offices will be allowed. Part I contains new terms which replace old ones to bring them up to date and into conformity with the new documents and procedures. "Transfer" replaces the word "deed" to cover all conveyances of freehold and leasehold lands. "Document" replaces the term "instrument." "Charge" replaces "mortgage" to describe charges given to secure payment of monies or the performance of other obligations by means of a charge or lien against the charger's property. "Discharge" is used to describe cessations of charges and discharges of mortgages.
- Automated Recording and Property Mapping System (Polaris Project)		Part II of the Act facilitates the wider use of modern information technology in Ontario's land registration systems. The Act requires that where land has been designated under Part II, the land registrar will be required to create property maps for the land. The maps will indicate blocks consisting of one or more properties. Registered documents will be organized accordingly. Part II is designed to take effect across the province in stages, starting in part of the County of Oxford. Rusty Russell describes the situation, in his inimitable style, in Municipal World for March, 1985.
LAND SEVERANCE	see CONSENT	
LAND SPECULATION TAX	Land Speculation Tax Act (Revenue)	This Act was repealed in 1978.
Land use conditions	See PUBLIC LANDS - sale or lease	
Land use plan	see OFFICIAL COMMUNITY PLAN; OFFICIAL PLAN; STRATEGIC LAND USE PLAN	
Land value	see ASSESSMENT	
LANDFILL	Environmental Protection Act Regulation 309	1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals. 1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.
	see also WASTE MANAGEMENT - standards; CONSERVATION - dumping fill	
Landscaping	P.A. 40(7)(a)6	
LANDS IN TAX ARREARS	Municipal Affairs Act 40	Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).
LAUNDRIES	Municipal Act 210(158,159)	Laundries and self-service laundries may be regulated.
LEASING OF LAND	Municipal Act 193(2)	Council may lease any land it has acquired.
	see also PUBLIC LANDS - sale or lease	
Leasing of portion of highway	see HIGHWAY -	
LETTERS PATENT		Grant by the Crown of lands, franchises, etc. contained in charters or instruments not sealed up but exposed to open view with the Great Seal pendent at the bottom.
Levies (lot levies)	see IMPOSTS; CAPITAL LEVIES	

Subject	Reference		Description and Notes
LIBRARIES	Public Libraries Act, 1984 (Citizenship and Culture)		This new Act came into force in 1985. A library board may acquire land. The Expropriation Act applies. One new clause provides that a library board "may operate special services in connection with a library as it considers necessary" 20(d).
Licence of occupation	see PUBLIC LANDS -; PROVINCIAL PARKS		
LICENSING AND REGULATING	Municipal Act 110		The power to license includes the power to prohibit and to refuse a licence at the discretion of Council. However, the courts do not seem to interpret this in the way a layman might. See, for example, Malette vs. Eldon, Municipal and Planning Law Reports, Vol.4 Part 3, August 1978. As used frequently throughout the Municipal Act, "licensing and regulating" implies only a limited power to regulate. For instance, regulating a public garage doesn't include provisions touching the amenities of the premises, such as a fence. (Texaco Canada Limited v City of Vanier, March 19, 1981, Supreme Court of Canada).
Line fences	see FENCES		
Liquid Waste	see WASTE MANAGEMENT		
LITTER	Municipal Act 315(5)		Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road.
	Municipal Act 210(76)		The council of a local municipality may prohibit littering of private or public property.
	Environmental Protection Act 73-78 and 3(a), 3(h)	3	No person may abandon any material likely to become litter. Provision is made for fines of up to $100 for a first offence and $1000 subsequently.
Livestock barns	see AGRICULTURAL POLLUTION		
Loading Space	P.A. 34(1)6 and 40(7)(a)3		
Local architectural conservation advisory committee	see CONSERVATION (CULTURAL) -		
LOCAL BOARD	Municipal Affairs Act 1(c)		"Local Board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof.
Local board of health	see PUBLIC HEALTH -		
LOCAL IMPROVEMENTS	Local Improvement Act (Municipal Affairs and Housing)	1.25	"street" includes a lane, alley, park, square, public drive and public place, or a part of any of them.
		2	Works that may be undertaken as local improvements include: street widening and improving, incl. sidewalks, boulevards, sodding, planting, etc.; bridges, sewers, watermains, extensions of gas, light, heat or power works, parks up to 1 hectare, shore protection works and retaining walls.
		64	Ordinary maintenance is not included but street cleaning, snow cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis.
		67	A township or village may also construct waterworks, sewerage works and street lighting works.
		6	For works over $50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work.
		7	Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with O.M.B. approval, for certain works.
		12	Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years.

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Subject	Reference	Description and Notes
		20 Except as otherwise provided, costs are assessed to abutting lots on a frontage basis.
		21-52 Various procedures for distributing costs of local improvements are described.
		70 Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.
	Town of Midland Act, 1980	Generally, if a work such as a street, sewer or watermain has been installed at one owner's expense, the owners of abutting lots may connect to the work without paying any share of the cost. This Act provides for proportional payments from all abutting owners before they may connect.
	see also SIDEWALKS -	
Local municipality	see MUNICIPALITY	
LOCAL ROADS BOARD	Local Roads Board Act (Transportation and Communications)	2 This Act applies only in territory without municipal organization.
		7 Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.
		10 The Board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.
		19 All land as defined in the Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.
		31-33 Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.
		39 The Statute Labour Act ceases to apply to a local roads area.
LOCAL SERVICES BOARD	Local Services Boards Act (Northern Affairs)	The Minister may establish a Local Services Board in a community located in territory without municipal organization. The order establishing the Board may permit it to exercise jurisdiction over water supply, sewage collection and treatment, garbage collection, street or area lighting, fire protection or recreation. A Board may consist of 3 or 5 members, elected annually. A surcharge may be added by the Minister of Revenue to the provincial land tax collected in the Board area and grants may be made by the Minister of Northern Affairs to finance Board operating expenses. In 1983, there were about 20 L.S.B.'s in existence. They are in the Municipal Directory, under the District in which they are located.
LODGING HOUSE	Municipal Act 208(61)	Council may regulate lodging houses, provide for the issuing of licences by the local board of health and prohibit the use of licensed premises except for the use for which the licence was issued.
	Assessment Act 7(10) (Revenue)	"Rooming house" means any house or building or portion thereof in which the proprietor supplies lodging, for hire or gain, to other persons with or without meals in rooms furnished by the proprietor with necessary furnishings and does not include a hotel as defined in the Hotel Registration of Guests Act.
	Building Code Act Ontario Reg. 583/83 as amended	Boarding, lodging or rooming house means building where, (i) building height does not exceed 3 storeys and building area does not exceed 600 m², (ii) lodging is provided for gain with or without meals for more than 3 persons, and (iii) lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.
	See also PUBLIC HEALTH -	
Lot levies	see IMPOSTS; CAPITAL LEVIES	
Low rental housing	see HOUSING -	

Subject	Reference	Description and Notes
Main street revitalization	see BUSINESS IMPROVEMENT AREA	
Maintenance and occupancy standards	P.A. 31	The Ministry of Municipal Affairs and Housing has published a pamphlet entitled "All Together Now" and a handbook for property standards officers, entitled "Conserving and Improving our Property". A model by-law is also available.
MANDAMUS		For a discussion of the rights of competing interests in mandamus applications for building permits, see Municipal Planning and Law Reports, Vol. 9, Part 4, June, 1980.
Maps	see TOPOGRAPHIC MAPS; BASE MAPPING	
MARINAS	Ontario Water Resources Act 44(1)(1)	The Minister may regulate marinas to control pollution. (Regulation 310)
	Gasoline Handling Act 1(j) (Consumer & Commercial Relations)	"Marina" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor boats and other craft or into portable containers.
		The Ministry of Municipal Affairs and Housing's Marina and Boating Facilities Program provides subsidies to municipalities for the construction, improvement or repair of municipally-owned marina and boating facilities.
Market value	see ASSESSMENT -	
Mausoleum	see CEMETERY	
MASSAGE PARLOURS	Municipal Act 210(160)	Council may regulate massage parlours and enforce the regulations through the health department or the police department.
Master Plan	see OFFICIAL PLAN	
METES AND BOUNDS		"Metes and Bounds" refers to a system of describing land by means of a written description referring to metes - measures of length - and natural or artificial boundaries. The description follows a course from a fixed point called a monument or marker to other fixed points until the area is entirely enclosed.
METRIC SYSTEM	Weights and Measures Act (Federal - Consumer & Corporate Affairs)	Schedule II of this Act provides the metric equivalent of 1 yard. 1 yard = 9144/10,000 metre
	Registry Act O. Reg. 898/80 Boundaries Act O/Reg. 85/80 Certification of Titles Act O/Reg. 98/80 Land Titles Act O. Reg. 554/80	This Regulation provides information in both the metric and imperial systems on the maximum permissible error in closure for a subdivision perimeter survey. Maximum permitted distances for other surveying technicalities are also given in both metric and imperial measurements. If metric measurements are used on a plan of survey, a standard note must be included to indicate that all measurements are in metres and can be converted to feet by dividing by 0.3048.
	Condominium Act (Consumer & Commercial Relations) O. Reg. 122/80	The Ministry of Consumer and Commercial Relations has produced a metric information kit for use in the land registration systems. (June, 1976). Since July 1, 1976, plans have been accepted at Land Registry offices in either imperial or metric units.
	Metric Conversion Statute Law Amendment Act (Industry and Trade)	This Act converts measurements in many different Acts into the metric system. Not all parts have been proclaimed. Part VII, proclaimed on January 22, 1979 contains amendments to the Planning Act which will facilitate the use of metric measurements in municipal planning documents.
	P.A. 42	A pamphlet entitled "Metric Conversion of Planning Documents" has been produced by the Ministry of Municipal Affairs and Housing to provide information to municipalities. It is available from the Ontario Government Bookstore.
MINERAL AGGREGATES	Pits and Quarries Control Act (Natural Resources)	1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects).
		2 The Act applies only to the areas designated by Cabinet regulation. Over 400 townships have been designated, mostly in southern Ontario. A list may be obtained from any district office of the ministry.

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Subject	Reference	Description and Notes
		4 No pit or quarry may be established without a licence from the Minister. Applications must include a site plan, including land use within 150 metres of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan.
		5 If anyone objects to an application, the matter must be referred to the O.M.B.
		6 The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or local by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence.
		7 A licence must be reviewed at least annually and may be revoked.
		11 Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out.
		12 Wayside pits require a permit.
- restraining order		15 The Minister may enforce compliance with the Act by applying for a restraining order.
		17 This Act prevails over a municipal by-law.
- Provincial policy		The Provincial Policy on Mineral Aggregate Resources, pursuant to section 3 of the Planning Act, was due for publication at about the same time as this Planner's Reference.
- zoning	P.A. 34(2)	Pits and quarries are deemed to be a use of land for the purpose of zoning. The courts had previously determined that this activity was not a "use of land" within the meaning of the former Planning Act. One result is that existing pits can now be rendered non-conforming by appropriate zoning, whereas previously an existing pit was immune from this.
- restrictive zone		As a Cabinet policy, the provincial government has established a pits and quarries restrictive zone in the Niagara Escarpment area. In addition to a development permit, an application must be made to lift the pits and quarries restrictive zone.
MINING	Mining Act 1 (Natural Resources)	This Act includes definitions of terms such as "mining rights", "surface rights", "mine", "refinery", "mining lands", and "minerals".
	Landlord and Tenant Act 19(1)(e) (Attorney General)	A definition of "mining lease" is included.
		Note that Section 49(2) of the Planning Act clarifies that no consent is required to separate mining rights from surface rights.
	Conveyancing and Law of Property Act, 16, 17 (Attorney General)	"Mining rights" and "surface rights" are defined.
	see also PUBLIC LANDS - mineral rights	
Minister's order	P.A. 46, 47, 48	
MINOR VARIANCE	P.A. 44	"Minor Variances and Non-Conforming Uses - Committee of Adjustment Guidelines" (September, 1980) by the Ministry of Municipal Affairs and Housing is available from the Ontario Government Bookstore. Also, see "Rules of Procedure - Minor Variance Applications", O. Reg. 155/78
- registration on title		Registrars were advised in December, 1980 that minor variances do not affect title to land and, therefore, are not registrable under either the land titles or registry system.

Subject	Reference		Description and Notes
MOBILE HOME	P.A. 31(1)(e), 34(3), 40(1), 45, 47, 48		Individual mobile homes may be located on lots subject to the same restrictions as other dwellings, provided that not more than one mobile home is located on a lot. Mobile home parks, or any grouping of mobile homes on a single parcel of land, may only be developed or expanded on land specifically zoned to permit such use of land. Some of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. Section 45 of the Planning Act does not apply to recreational vehicles, but only to mobile homes (including double wides) constructed for permanent residential accommodation. It should be noted that Section 31 of the Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".
	Highway Traffic Act 1(1)15b		"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.60 metres in width or 11.0 metres in length.
	Residential Tenancies Act, 1979 (Consumer & Commercial Relations)	1(i)(g)	"mobile home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.
		1(i)(h)	"mobile home park" means the rental units, and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord, where two or more occupied mobile homes are located for a period of sixty days or more.
	Landlord and Tenant Act (Consumer and Commercial Relations)	81	The definition of a mobile home park is the same as above, except that "residential premises" is substituted for "rental units".
			Part IV of the Act deals with mobile homes and, among other matters, lists the responsibilities of a landlord in a mobile home park for garbage disposal, road maintenance, etc.
	Ontario Building Code 2.1.1.5(2)		The Code refers to special structural requirements for mobile homes, which apply to manufactured buildings intended for residential occupancy, constructed in sections not wider than 4.3 meters.
	see also TRAILERS; TRAILER AND TOURIST CAMPS AND MOTELS; P.A. 31(1)(e); UNORGANIZED TERRITORY		"Planning for Mobile Homes" is a booklet published by the Ministry of Municipal Affairs and Housing in September, 1981 to assist in the preparation of official plan policies on mobile homes. It is available for $2.00 at the Ontario Government Bookstore.
MODULAR HOME	Retail Sales Tax Act 1.7 (Revenue)		"Modular home" means a house that is intended for residential purposes and that is constructed by assembing manufactured modular units each of which comprises at least one room or living area, has been manufactured to comply with the A277 series of standards prescribed by the Canadian Standards Association, and bears the seal of that Association attesting to such compliance.
	Ontario Building Code 2.1.1.5(1)		
MONEY BY-LAWS	Municipal Act Part X		Sections 142-157 deal with debentures, municipal debt, contracts for the supply of public utilities, etc.
Mortgages	see HOUSING - and HOUSING - Rural housing mortgages		
Motel	see TRAILER AND TOURIST CAMPS AND MOTELS		
MOTORIZED SNOW VEHICLE	Motorized Snow Vehicles Act		Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
MOTOR VEHICLE	Highway Traffic Act 1(1)23		"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine within the meaning of this Act.
	see also VEHICLE		

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Subject	Reference		Description and Notes
MOTOR VEHICLE ACCESS TO PROPERTY	Road Access Act, 1978 (Municipal Affairs and Housing)	1(a)	"Access Road" means a road on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land.
		1(b)	"Common Road" means an access road on which public money has been expended for its repair or maintenance.
- closing order	see also Highway - access to property		This Act provides for a legal process before an existing access to property over a neighbour's land may be closed. Provision is made for a closing order to be issued by a judge after appropriate notification. Provision is also made for an appeal from the order.
MOTOR VEHICLE RACING	Municipal Act 210(59)		Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	See HOUSING -		
MUNICIPAL BOARD	Ontario Municipal Board Act (Attorney General)	33-34	The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact.
		53	The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them.
		44	The Lieutenant-Governor-in-Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction.
- appeal		42	The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it.
		94	The Lieutenant-Governor-in-Council may confirm, vary or rescind an O.M.B. decision and may order a rehearing.
		95	Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.
	see also HEARINGS		
MUNICIPAL CODE	Municipal Act 105 see also INDEX OF MUNICIPAL BY-LAWS		Instead of passing separate by-laws, Council may pass a comprehensive general by-law to be known as a Municipal Code. If it consolidates earlier by-laws, those provisions are deemed to have come into force on the day the original by-law came into force.
MUNICIPAL GRANTS	Ontario Unconditional Grants Act (Municipal Affairs and Housing)		This Act describes the formulas used to assign provincial grants to the municipalities. It covers grants for municipal police service, general support grants, resource equalization grants, and special grants for Northern Ontario. Schedules describing these formulas and designating certain grants may also be included.
	see also FINANCIAL ASSISTANCE TO MUNICIPALITIES		
Municipal Housing Statement	see HOUSING -		
MUNICIPAL LOANS	Municipal Works Assistance Act (Municipal Affairs and Housing)		This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.
MUNICIPAL PLAN	Registry Act 85 (Consumer & Commercial Relations) O/Reg. 898 (45-50)		Where land in a municipality has been sold under surveys or subdivisions made in such a manner that it so differs from the way in which it was surveyed or granted by the Crown that the parcels cannot be identified, and the land is not registered, the council may cause a plan of that land to be made, register it and have the expenses incurred paid for by a special area assessment rate.
	see also JUDGE'S PLAN; REGISTRAR'S COMPILED PLAN;		
MUNICIPALITY	Municipal Act	1.18	"municipality" means a locality the inhabitants of which are incorporated.
		1.11	"local municipality" means a city, town, village or township.
	Municipal Affairs Act	1(f)	"municipality" means the corporation of a county, city, town, village, township or improvement district and includes a local board thereof and a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in an unorganized township or unsurveyed territory.
	see also COUNTY		

Subject	Reference		Description and Notes
Names	see GEOGRAPHIC NAMES; STREET NAMES		
NATURE RESERVE, NATURAL ENVIRONMENT	see PROVINCIAL PARK - classification		
NAVIGABLE WATERS	Beds of Navigable Waters Act 1 (Natural Resources)		The bed of any navigable water is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface. If a creek is a navigable waterway and its bed is owned by the Crown, lands on each side of the creek would not be abutting land for the purposes of the Planning Act.
	Navigable Waters Protection Act (Transport Canada)	5	No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister. This does not apply to works that in the Minister's opinion do not interfere substantially with navigation. "Work" may include a bridge, tunnel, dock, power cable, the dumping of fill, etc.
		19,20	No rubbish likely to interfere with navigation may be thrown into navigable waters. No stones, gravel, rubbish, etc. may be thrown into navigable tidal water unless there is a depth of at least 20 fathoms at all times.
Neighbourhood improvement	see COMMUNITY IMPROVEMENT - ONIP		
NEW COMMUNITIES	National Housing Act Part VI. 1	45.1	C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2	Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
	see also NORTH PICKERING; ONTARIO LAND CORPORATION		
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Development Act, 1973 (Provincial Secretary for Resources Development)	1(c)	The Minister responsible for this Act is the Provincial Secretary for Resources Development. However, the Minister of Municipal Affairs and Housing is responsible for the regulations relating to development control (22 and 23).
		2	The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3	The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4	The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5	Cabinet appoints the Niagara Escarpment Commission composed of seventeen members. The Commission has the status of a corporate body.
		8	The objectives to be sought in the preparation of the Plan are described;
		9,10	Also, the contents of the Plan and the process of its preparation.
			The Plan is to be submitted to Cabinet for approval.
		12	Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13	No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14	The provisions of the Plan prevail over any local plan or zoning by-law.
		15	The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16	The Minister may direct a local municipalities to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17	The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.
		18	The Minister may expropriate land to develop the Plan.

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Subject	Reference		Description and Notes
		19,20	The Minister may make grants to assist in implementing the Plan.
		21	The functions of the Commission may be transferred to a region or county council, when the Plan has been substantially completed.
- development control		22,23	The Minister may designate any area as being under development control and the Minister of Municipal Affairs and Housing may regulate the issuance of development permits.
		24	No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: $10,000) Development in contravention of the Act may be demolished.
		25	The issuance of development permits may be delegated to the Commission or some other body. The permit relates to the development itself and is not a personal permit.
- fixed assessment		27	Agreements may be made for fixed assessments on lands whereupon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.
NOISE	Municipal Act 210(132)		Council may prohibit the making of noise likely to disturb the inhabitants in any defined area. (These by-laws are difficult and expensive to enforce because of the need for corroborative evidence and because quantitative standards may not be included in the by-law. A by-law pursuant to the Environmental Protection Act is usually preferable).
	Environmental Protection Act	1(c)	A contaminant is defined to include noise.
		13	The province may prosecute noise polluters under the general provisions of this section which prohibits the emission of contaminants which "...causes or is likely to cause harm or material discomfort to any person; adversely affects or is likely to adversely affect the health of any person,..."
- control order		113-119	The Directors of branches within the Ministry may issue "control" or "stop orders" (where authorized by this Act) in order to control or stop the amount of contaminant being discharged into the environment by the person indicated on the order.
- model by-law		135	The council of a local municipality may pass by-laws regulating the emission of sound, prescribing maximum permissable sould levels, providing for the licensing of persons and premises with respect to noise emissions and prescribing procedures for determining noise levels. These by-laws are subject to the Minister's approval. A Model Municipal Noise Control By-law has been prepared by the Ministry of the Environment (August, 1978). The booklet containing the model by-law also includes some related publications: "Guidelines for Noise Control in Land Use Planning", "Guidelines for Noise Control in Rural Areas" and "Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound".
- vehicular noise	Highway Traffic Act 57		Excess vehicular noise, fumes or smoke are prohibited.
			Provincial policy is outlined in "Guidelines on Noise and New Residential Development Adjacent to Freeways" (April 1979) published by the Ministry of Municipal Affairs and Housing. C.M.H.C. has published a document entitled "Road and Rail Noise, Effect on Housing"(1977).
	see also AIRCRAFT NOISE		
Non Profit Housing	see HOUSING - Non-profit or community sponsored housing		
NORTH PICKERING	North Pickering Development Corporation Act, 1974 (Municipal Affairs and Housing)		This Act was dissolved by the North Pickering Development Corporation Repeal Act, 1982.
	see also ONTARIO LAND CORPORATION		The property rights and obligations of the dissolved Corporation are now vested in the Ontario Land Corporation.
Notice	see PUBLIC PARTICIPATION - notification and objections		

Subject	Reference		Description and Notes
Noxious manufactures	see INDUSTRIAL NUISANCES		
NUISANCE	Public Health Act	32	Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.
		38	If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.
		115-129	Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.
	Municipal Act 210(134)		A local council may pass by-laws for prohibiting and abating public nuisances.
	see also PUBLIC HEALTH, INDUSTRIAL NUISANCES		
NUMBERING OF BUILDING LOTS	Municipal Act 210 (106, 107)		A local council may pass by-laws for the numbering of building lots and buildings in the municipality and it is obliged to keep a public record of such numbering.
Nursery, Day	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - Day Nursery		
Nursing home	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - nursing home		

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Subject	Reference		Description and Notes
OBSTRUCTION OF VIEW AT INTERSECTIONS AND ALONG ROADS	Municipal Act 307		Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.
	Public Transporation & Highway Improvement Act	30(7)	Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway.
		108	A county or township may fix the distance from centreline within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision. A road superintendant may negotiate an agreement to remove an existing obstruction and, failing agreement, may apply to a judge for an order to remove it.
	see also HIGHWAY - King's Highway		
Occupancy of unfinished buildings	see UNFINISHED BUILDINGS		
Occupancy permit	see CERTIFICATE OF OCCUPANCY		
Occupied water privilege	see LAKES AND RIVERS -		
Offensive Trades	see INDUSTRIAL NUISANCES		
OFFICIAL COMMUNITY PLAN	National Housing Act 2		"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.
Official Plan	P.A. 1(h) 16-27		Guideline 10 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Official Plan Documents: Preparation, Adoption, Submission and Lodging". (August, 1984)
	see also ANNEXATION AND AMALGAMATION		
Old Age Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged		
Old people	see ELDERLY PERSONS CENTRE		
One-family dwelling	see HOUSING -		
Ontario Building Code	see BUILDING CODE		
ONTARIO CO-ORDINATE SYSTEM	Surveys Act O/Reg. 809 (Natural Resources)		The Surveys Act was amended in 1967 to provide for regulations for systems of co-ordinate surveys. One system, "The Ontario Co-ordinate System", was defined in Regulation 809. Although surveying and mapping programs were undertaken using the three degree grid of that system, it was never implemented as a provincial program. The Universal Transverse Mercator Grid System has been adopted as the official standard geographical referencing grid for the Province. It is called the "Ontario Geographical Reference Grid". Further details are available from the Surveys and Mapping Branch, Ministry of Natural Resources (John Kerr, Manager, Geographical Referencing Services; telephone 416/965-4538).
ONTARIO LAND CORPORATION	Ontario Land Corporation Act (Municipal Affairs and Housing)		Ontario Land Corporation is a provincial agency responsible for managing, planning, developing and marketing lands owned by the province throughout Ontario. Its development projects include, among others, Malvern, Townsend, Heritage Green and Seaton. The corporation also administers an extensive mortgage portfolio through its wholly owned subsidiary Ontario Mortgage Corporation.
ONTARIO GAZETTE	Official Notices Publication Act (Attorney General)		Published weekly, the gazette is the official source for notification of legislation and regulations.
Ontario Municipal Board	see MUNICIPAL BOARD		
Ontario Planning and Development	see PROVINCIAL PLANNING		
Open space	see PARKS; PARKWAY BELT; SITE PLANNING		
OUTDOOR FESTIVAL	Public Health Act 10		"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promotors, etc. Provision is made for fines up to $10,000.
Outhouses	see GARAGE; PUBLIC HEALTH		
Overcrowding	see PUBLIC HEALTH		

Subject	Reference		Description and Notes
PARCEL	Boundaries Act 1(c) (Consumer & Commercial Relations)		"Parcel" means an area of land described in an instrument by which the title to an interest in land is or was established or an area of land shown on a plan and includes a public highway or any part thereof.
PARKS - area rate	Municipal Act 208(51-53)		Council may acquire land for park purposes. The cost may be area rated.
	Public Parks Act (Municipal Affairs and Housing)	3	Parks established under this Act must be managed by "The Board of Park Management", which may acquire land, etc.
	Parks Assistance Act (Natural Resources)	2	The parks established under this Act must be maintained and operated for the use and enjoyment of the public in such a manner as will be complementery to the use and enjoyment of provincial parks.
		3	This Act authorizes grants to assist municipalities in the acquisition and development of an approved park or the conversion of a park to an approved park.
		5	Municipalities must file for assistance to the Ontario Parks Integration Board.
		10	Municipalities may pass by-laws (with regard to these parks) regulating such things as: the care, preservation, improvement and management of the park, the amount of traffic in the park, admission prices, etc.
	see also P.A. 41, 50(5)(7)(10)(11)(12), 52(3); PROVINCIAL PARK; RECREATION; SCHOOLS - recreation; HISTORICAL PARK		
PARKING - cash in lieu	P.A. 39		
Parking areas	see Site Plan Control; SITE PLANNING; HIGHWAY - leasing use of untravelled portions; PERMIT PARKING; P.A. 39		
PARKING LOTS - area rate	Municipal Act 208	(55)	Council may establish a public parking lot and may, with O.M.B. approval, levy the cost on a defined area.
		(56)	A parking authority may be established for the operation of parking facilities within the municipality.
	Municipal Act 217(34)		The Minister of Municipal Affairs and Housing may make loans or grants to a municipality for the establishment of a public parking lot.
PARKWAY BELT	Parkway Belt Planning & Development Act (Municipal Affairs and Housing)	1	The Minister may define a Parkway Belt Planning Area and direct that a Parkway Belt Plan be prepared. (To date, the Parkway Belt West Plan has been prepared and approved by Cabinet).
		2	The Parkway Belt Plan is a development plan within the meaning of the Ontario Planning and Development Act.
- fixed assessment		3	An agreement may be made for fixed assessment if an existing land use differs from the Parkway Belt Plan or local plan designation and the assessment would otherwise be increased as a result of the designation. The Minister may reimburse the municipality for the reduced assessment.
- zoning orders		4	The Minister may make land use regulations within the Parkway Belt Planning Area (Zoning orders). Such regulations need not conform to a local official plan.
Part lot control	P.A. 49(5) and (6)		
Partial Sales and Partial Foreclosures	P.A. 49(16),(17)		
PARTITION	Partition Act (Attorney General)		This Act is intended to provide for the equitable division of assets in land among two or more co-owners, creditors, partners, mortgagees, etc. Section 49(20) of the Planning Act clearly makes orders under the Partition Act subject to consent.

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Subject	Reference	Description and Notes
PEDESTRIAN MALL	Municipal Act 210(123)	Council may establish a pedestrian mall, with the approval of the Minister of Transportation and Communications. Any class of vehicle may be excluded at any specified time.
	Municipal Act 296(10)	In closing a road, council may specify that it is closed for vehicular traffic only, and may erect barricades.
Pedestrian overpass Pedestrian underpass	see HIGHWAY - use of space over or under a highway	
Penalties	see ENFORCEMENT OF BY-LAWS	
PERMIT PARKING	Municipal Act 210(118)	Council may pass by-laws allowing parking on designated parts of highways for specified periods and during specified hours, subject to permits.
PIPELINE	Ontario Energy Board Act 46-55 (Energy)	No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation. The Ontario Energy Board has produced a booklet entitled "Environmental Guidelines for the Construction and Operation of Hydrocarbon Pipelines in Ontario, 1984." It is obtainable from the Ontario Government Bookstore, price $3.00.
Pits and quarries	See MINERAL AGGREGATES	
Place names	see GEOGRAPHIC NAMES	
PLACE OF AMUSEMENT	Retail Sales Tax Act 1.9 (Revenue)	"Place of amusement" means an amusement park or a premises or place whether enclosed or not, where a cinematographic moving picture machine or similar apparatus is operated, or where a theatrical performance or entertainment, carnival, circus side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance is staged or held or where facilities for dancing are provided to the public with the service of liquor, beer or wine and for which admission is granted upon payment of a price of admission through the sale of tickets or admission through the sale of tickets or otherwise.
Planned Communities	see NEW COMMUNITIES	
PLANNING ADVISORY COMMITTEE	P.A. 8	Guideline 1 under the 1983 Planning Act discusses the role of planning advisory committees.
Planning area	P.A. 9	
Planning board	P.A. 9-14	
Plan of subdivision	see SUBDIVISION PLAN	
Playgrounds	see PARKS; RECREATION	
PLUMBING	Ontario Water Resources Act (Environment)	Note that the plumbing sections of the Act are administered by the Building Code Branch of the Ministry of Municipal Affairs and Housing.
	44(2)(c)	The Minister may regulate plumbing.
	45	Plumbing inspections may be undertaken by local municipalities, countries or boards of health.
	48	No municipal by-law regulating plumbing has any effect unless it is permitted under Section 46(1).
	O/Reg 815/84	A new Plumbing Code was introduced in January, 1985.
Polaris Project	see LAND REGISTRATION	
Police costs	see Area Rate - police	
POLICE POWER	Municipal Act 104	Council may pass by-laws and regulations for the health, safety, morality and welfare of the inhabitants in matters not specifically called for by the Act.
POLICE VILLAGE	Municipal Act 331-356	Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, road, public utilities, fire protection, parks and certain other matters described in Section 347.
POLICY STATEMENTS	P.A. 3	The first two provincial statements under the Planning Act will deal with mineral aggregates and floodlands. They will be followed by statements on floodplains, environmental land use compatibility and the Parkway Belt West.

Subject	Reference		Description and Notes
Pollution	see PUBLIC HEALTH, WATER QUALITY, AIR POLLUTION, AGRICULTURAL POLLUTION, LAKES AND RIVERS, SIGN CONTROL, WASTE MANAGEMENT SPILL, NOISE; CONTROL ORDER		
Ponds	see CONSERVATION (NATURAL ENVIRONMENT)		
Preservation of historic buildings	see CONSERVATION (CULTURAL)		
Preservation of wilderness	see WILDERNESS		
Private Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS		
PRIVATE ROAD	see also MOTOR VEHICLE ACCESS TO PROPERTY		"Private Roads - Planning Guidelines for municipalities" is a pamphlet published by the Ministry of Municipal Affairs and Housing in March, 1982.
- snowplowing			With the repeal of Section 429 of the Municipal Act (R.S.O. 1970), municipalities are now no longer exempt from liability when plowing a private road or unopened road allowance.
Private school	see SCHOOLS - private		
PROPANE FUELLING FACILITY	O/Reg 522/80 (Consumer and Commercial Relations)		The Regulation is the Propane Storage, Handling and Utilization Code. The Ontario Ministry of Energy is preparing "A Guide to Siting Propane Fuelling Facilities in Ontario".
Property exempt from taxation	see ASSESSMENT -		
Property standards committee	P.A. 31(11) see also Maintenance and Occupancy Standards		
Prospectus	see FOREIGN LAND SALES		
Provincial interest	P.A. 2, 17(19)(20), 22(5) 34(28) and 46(15)-(17)		
Provincial Land Tax	see UNORGANIZED TERRITORY - assessment		
PROVINCIAL PARK - classification	Provincial Parks Act (Natural Resources)	5	Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park. (The Planning and ManagementPolicies manual published in 1978 describes six classes in current use: natural environment park, nature reserve, wilderness park, recreation park, waterway park and historical park).
- zoning		7(2)	The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc. (The currently used zones are: historical, natural environment, wilderness, nature reserve, access and development).
- access road		9	The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- licence of occupation		20	A licence of occupation may be issued under the regulations to permit mining in a provincial park.
- use of land		21	Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.
PROVINCIAL PLANNING	Ontario Planning and Development Act (Municipal Affairs and Housing)		This Act provides for the preparation of a development plan for a provincially defined planning area.
	see also PARKWAY BELT, NIAGARA ESCARPMENT		
Public Garage	see GARAGE		

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Subject	Reference		Description and Notes
PUBLIC HALL	Public Halls Act 1		"Public Hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of the Theatres Act or a building, except a tent, used solely for regligious purposes.
PUBLIC HEALTH	Public Health Act	7	The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health -- and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.
		9	The Minister may, with Cabinet approval, make regulations for:
- nuisances			- the removal of nuisances and unsanitary conditions,
- overcrowding			- directing the alteration or destruction of any building unfit for human habitation,
- resorts - boats - water pollution - camps			- preventing overcrowding by limiting the number of dwellers on premises,
			- the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters,
			- defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses,
- building standards			- prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings,
- swimming pools (public)			- defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools),
- garbage and refuse (private)			- governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households.
		12	The above regulations prevail over any local by-law.
- local board of health		17	Every municipality in Ontario must have a local board of health unless it is in a "health unit".
- health unit		40	One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.
- entry on private property		117	A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.
- lodging houses		134	A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.
- waterworks, sewerage		138	Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.
- public slaughterhouses		145	The council of a city or town may by by-law establish a public slaughterhouse or abattoir.
- unorganized territory		159-166	The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.
		Schedule B	This is a by-law in force in every municipality until altered by council. It deals with location of slaughterhouses, removal of garbage, provision of toilets in restaurants, keeping of swine, etc. The clause providing for fines was deleted in 1974.

Subject	Reference		Description and Notes
Public Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -		
Public housing	see HOUSING -		
PUBLIC LANDS - public reserves	Public Lands Act (Natural Resources)	3	Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- zones		4	Cabinet may make such regulations as are considered necessary to carry out the provisions of the Act, or to meet cases for which no provision is made by the Act.
- restricted area		12	The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.
- sale or lease		13	In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper".
- land use conditions		14-18 and 23	Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also O. Reg. 246/71 re sale and lease).
- licence of occupation		19	A licence issued by the Minister to permit mining exploration on public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- dumping of fill		25	Any person who deposits any material on public land or water is liable to a fine of $500.
- Crown grants		36	Means a grant of a freehold or leasehold interest in unpatented public lands.
- public agricultural lands committee		43	Appointed by the Minister, this committee recommends suitable areas for sale or other disposition as agricultural land and measures for their development.
- forest roads		45-52	This deals with private and public forest roads. Definition etc.)
- trees		54-55	Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- mineral rights		57-59	In letters patent issued after 1957 the mineral rights are reserved to the Crown.
- cottage lot condition		65	Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- subdivision		67	Where public lands have been disposed of and the owner subdivides the land within five years of the issue of letters patent, one quarter in area of the lots is vested in the Crown.
- dams		68-71	The Minister may construct dams and other water control works, expropriate land, etc.
- summer resort locations	Ontario Regulation	246/71	"Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.

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Subject	Reference		Description and Notes
PUBLIC PARTICIPATION in plan-making	P.A. 16(b), 17(2),(3), (4) and (7), 28(4)		
- notifications and objections	P.A. 34(12)(16)(17), 45(5) and 47(5)		Guideline 6 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Official Plan Policies on Public Notice" (August, 1983).
- appeals, public hearings	see DRAINAGE, ENVIRONMENTAL ASSESSMENT; HEARINGS: MUNICIPAL BOARD - appeals; P.A. 31(16) and (18), 33(12), 34(11)-(18), 35(3), 37(4), 40(12), 44(12)-(19), 46(10)-(14), 52(7)-(9); Ontario Planning and Development Act 6(4), 44(6); Municipal Act 14(4) and 301		
Public reserves	see PUBLIC LANDS -		
PUBLIC ROAD ALLOWANCES	Surveys Act 57(1)		Every road allowance shown on a registered plan of subdivision is deemed a public road allowance. A booklet entitled, "Public Road Allowances: A Procedural Guideline" was published by the Ministry of Municipal Affairs and Housing in May, 1981. Price $2.00 at the Ontario Government Bookstore.
Public schools	see SCHOOLS -		
PUBLIC TRANSPORTATION - area rate	Municipal Act	210 (97) and (98)	Council may operate a public bus transportation system and may levy a special rate in a defined area to cover any operating deficit.
		315(9)	Council may designate any land on any road over which the municipality has jurisdiction as a lane solely or principally for use by public transit motor vehicles.
	Public Transportation & Highway Improvement Act	94,95	Various provisions relating to provincial and municipal subsidies. "Public transportation" means any service for which a fare is charged for transporting the public by vehicles operated by or on behalf of a municipality or a local board thereof, or under an agreement between a municipality and a person, firm or corporation and includes special transportation facilities for the physically disabled, but does not include transportation by special purpose facilities such as school buses or ambulances.
	Highway Traffic Act 162		Council may prohibit commercial motor vehicles other than buses in the left lane of a highway having 3 or more lanes in each direction and a maximum speed of 80 kilometres per hour or more.
- urban transit service area	Regional Municipality of Hamilton-Wentworth Act 53h		The Regional Council shall apply to the Minister of Transportation and Communications to have an area within the Region defined as an Urban Transit Service Area. The Region may thereby obtain licensing powers for public transportation within the Area. The Region's eligibility for provincial transportation subsidy may also be improved within the Area.
- reserved lanes	Municipality of Metropolitan Toronto Act 79a see also RAPID TRANSIT; COMMUTER SERVICES; PUBLIC VEHICLE		The Metropolitan council or an area council may set aside reserved lanes for public transit.

Subject	Reference		Description and Notes
PUBLIC UTILITIES	Municipal Affairs Act 1(g)		"Public utility" means a waterworks, gasworks, including works for the transmission, distribution, and supply of natural gas, electrical power or energy works, or system for the generation, transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for sypplying the inhabitants generally with necessaries or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board. .
	Ontario Municipal Board Act 1(d) (Attorney General)		"Public utility" means a waterworks, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph lines, or any works supplying the general public with necessaries or conveniences.
- water supply - area rate	Public Utilities Act (Municipal Affairs and Housing)	2,4	A municipality may operate waterworks, build reservoirs, divert water bodies to protect the water supply, etc., and may assess the cost of water supply on rateable property in a defined area.
		6,7	Service pipes from the street line to a building are the property owner's financial responsibility, but under municipal control.
		11,25	A municipality may supply water and other utilities beyond its boundaries.
- area rate		14	A special rate may be levied for waterworks debentures on land not more than 100 metres from a water pipe.
- gas, electricity, etc. and sewerage		17	A municipality may also operate works for gas, electricity, steam or hot water, and sewerage.
		23	Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.
		34	Profits from a municipal utility other than hydro must be turned over to general revenue.
		37-47	Control of public utilities may be entrusted to a Public Utilities Commission.
		54	Where there is sufficient supply, no building along a supply line may be denied the supply.
		55	O.M.B. approval may be required to lay main pipes closer than 2 m. to any existing main.
- transportation and telephones		63	The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.
- area rate	Municipal Act 150(2); and 210(51)(f)		Council may levy a special annual rate in an area to defray the cost of a public utility provided in that area.
	see also AREA RATE		
PUBLIC VEHICLE	Public Vehicles Act 1(k)		"Public vehicle" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger vehicle, but does not include the cars of electric or steam railways running only upon rails, taxicabs, nor motor vehicles operated solely within the corporate limits of the urban municipality.
PUBLIC WORKS	Ministry of Government Services Act		This Act provides for provincial public works.
- entry on private property		12	The Minister or his agents may enter upon any land or use any stream, cut any trees, carry away any earth, divert any pipe or wire, etc., without the owner's consent, for any purpose relative to the use, construction, maintenance or repair of a public work.
	Public Lands Act 49 (Natural Resources)		The Minister of Natural Resources or of Government Services may enter into agreements with the owners of land respecting the erection of public works. These agreements may be registered on title.
	P.A. 1(j), 24		

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Subject	Reference	Description and Notes
	see MINERAL AGGREGATES	
QUASHING A BY-LAW	Municipal Act 139	A resident of a municipality or an interested person may apply to the Supreme Court to quash a by-law. The application must be made within three months of the publication of the by-law.
QUIET ZONE		The Model Municipal Noise Control By-Law prepared by the Ministry of the Environment contains provisions relating to different types of areas. These include "Residential Area", "Quiet Zone" and "Agricultural Area."
QUIETING ORDER	Municipal Corporations Quieting Orders Act (Municipal Affairs and Housing)	A quieting order is an order by the O.M.B. establishing, the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.
QUIETING TITLE - certificate of title	Quieting Titles Act (Attorney General)	This Act provides for the investigation of the validity of titles to property and the subsequent declaration by a Supreme Court judge establishing title. A certificate of title may be issued and registered.

Subject	Reference		Description and Notes
Railway fencing	see FENCES		
RAILWAY RELOCATION	Railway Relocation and Crossing Act Part I (Transport Canada and Canadian Transport Commission)		Railway facilities in urban areas may be relocated to open the way for urban improvements. The Minister of Transport may pay up to 50% of the cost of preparing an urban development plan, and 50% of the cost of preparing a transportation plan. A financial plan is also required. The plans must have provincial approval before being sent to the CTC with an application for a relocation order or rerouting order. The CTC may issue a relocation or rerouting order to the rail-road company. MOT may make a grant of up to 50% of the net costs of relocation.
RAILWAY GRADE SEPARATIONS	Railway Relocation and Crossing Act Parts II and III (Transport Canada and Canadian Transport Commission)		Special grants and funds are available for the construction of grade separations and railway crossings.
RAPID TRANSIT	Public Transporation & Highway Improvement Act	B7	Various provisions relating to provincial subsidies, etc.
Receiving Plant for Dead Animals	see RENDERING PLANT		
Record of by-laws effecting land	see INDEX OF MUNICIPAL BY-LAWS		
RECORD OF STREETS, LOTS, ETC.	Municipal Act 210(107)		Every council must keep a record of its streets and lot numbers, showing street boundaries with dimensions.
RECREATION	Municipal Act 208(57) see also SCHOOLS -; ELDERLY PERSONS CENTRE; COMMUNITY CENTRE; PROVINCIAL PARK - Classification; TRESPASS AND OWNER'S LIABILITY		Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries, arenas, auditoriums, stadia, museums and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality.
Redevelopment	see HOUSING; P.A. 28-30		
REFERENCE PLANS	Land Titles Act 149 Registry Act 74 and O/Reg. 898(25) (Consumer & Commercial Relations)		A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.
REFUSE ACCUMULATION	Municipal Act 210(74) see also PUBLIC HEALTH - garbage and refuse; maintenance and occupancy standards		Council may pass a by-law requiring and regulating the filling up, draining, cleaning or clearing of any grounds, yards and vacant lots.
Refuse disposal	see WASTE MANAGEMENT		
REGIONAL ECONOMIC DEVELOPMENT	Industrial and Regional Development Act (Federal - Regional Industrial Expansion) see also PROVINCIAL PLANNING		The Industrial and Regional Development Program (IDRP) is the government's principal means to deliver direct federal assistance to industry. Manufacturers and processors in all of Canada are eligible. Four tiers of assistance are offered on a progressively increasing basis with the greatest support available in the most economically disadvantaged areas in the country.
REGIONAL MUNICIPALITIES	Regional Municipality of.. Act, District Municipality of Muskoka Act, Municipality of Metropolitan Toronto Act, Planning Statute Law Amendment Act, 1983 see also RESTRUCTURED COUNTIES, DISTRICTS		Each Region has its own specific enabling provincial Act. Established regions include Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. Also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.

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Subject	Reference		Description and Notes
Regional Planning	see REGIONAL MUNICIPALITIES, SEWERAGE - regional plan; WATERWORKS - regional plan; PROVINCIAL PLANNING		Refer also to the Ontario Planning and Development Act, which provides for "development plans" in areas defined by the Minister.
REGISTERED PLAN	Land Titles Act 141-145, 152 and 153 (Consumer & Commercial Relations)		Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which the Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.
- dissolving a registered plan	see JUDGE'S ORDER		
- deeming a registered plan	see P.A. 49(4)		
REGISTRAR'S COMPILED PLAN	Registry Act 77 (Consumer & Commercial Relations) Land Titles Act 147		The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers. An Index Plan is similar but is prepared under the Land Titles Act.
	see also MUNICIPAL PLAN; JUDGE'S PLAN; REFERENCE PLAN; LAND REGISTRATION		
Regulating	see LICENSING AND REGULATING		
REGULATIONS			Legislation may enunciate general principles which are subsequently interpreted more specifically in the form of Regulations. For instance, under the Planning Act, regulations have been introduced dealing with various notice requirements and with rules of procedure for consents and minor variances. Guideline 5 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Working with the New Regulations". (August, 1983)
Rehabilitation	see HOUSING -; P.A. 28-30		
RELIGIOUS INSTITUTIONS	Religious Organizations' Lands Act, 1979 (Attorney General)		"Religious organization" is defined to include all denominations. Provision is made for a religious organization to hold land for any religious purpose.
Relocation Costs	see EXPROPRIATION -		
RENDERING PLANT	Dead Animal Disposal Act (Agriculture and Food)	1(j)	"Receiving Plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant.
		1(k)	"Rendering Plant" means a premises at which dead animals are processed into hides, meat, bone meat, meat meal or inedible fats.
		2	This Act does not apply to establishments operating under the Meat Inspection Act (Canada).
	see also SLAUGHTERHOUSES		
Renovation	see BUILDING CODE		
RENT REVIEW	Residential Tenancies Act, 1979 (Consumer and Commercial Relations)		The portions of the Act establishing the Residential Tenancy Commission and the rent review provisions are in effect. The remaining two-thirds of the Act have not been proclaimed and the Landlord and Tenant Act is still in effect. Non-residential tenancies are governed by the Landlord and Tenant Act.
Rent Supplement	see HOUSING -		
Rental Housing	see HOUSING -		
Reserved bus lanes	see PUBLIC TRANSPORTATION		
Reservoirs	see CONSERVATION; DRAINAGE; PUBLIC UTILITIES		

Subject	Reference	Description and Notes
Residential Complex	Residential Complex Sales Representation Act 1983 (Consumer and Commercial Relations)	"residential complex" means a building or related group of buildings situated in Ontario in which more than six dwelling units are located and a mobile home park as defined in Part IV of the Landlord and Tenant Act. This Act makes it an offence to sell an interest in a residential complex and imply to the purchasers that they will be entitled to replace the existing tenants as occupants of a dwelling unit or that they are acquiring ownership of a dwelling unit.
Residential rehabilitation	see HOUSING - rehabilitation and conversion; BUILDING CODE - renovation	
Resort subdivision road rate	see HIGHWAY - township road	
Resource road	see HIGHWAY -	
Restoration of Buildings	see CONSERVATION (cultural); HOUSING - rehabilitation and conversion; OHRP	
Restraining order	see ENFORCEMENT OF BY-LAWS; SUBDIVISION PLAN AREA; MINERAL AGGREGATES -	
Restricted area	see PUBLIC LANDS -	In the 1983 Planning Act, the term "Restricted Area by-law" has been dropped in favour of "Zoning by-law".
RESTRICTIVE COVENANT	Conveyancing and Law of Property Act 61 (Attorney General)	A restrictive convenant may be modified or discharged by order of a judge.
RESTRUCTURED COUNTIES, DISTRICTS	County of Oxford Act (Municipal Affairs and Housing)	The County of Oxford was restructured in 1974 and has a limited form of regional government. Some planning functions are at the county level (land division, official plan).
	District of Parry Sound Local Government Act, 1979 (Municipal Affairs and Housing)	Townships and towns have been consolidated into larger units but no regional government has been established.
Right of entry	see ENTRY ON PRIVATE PROPERTY	
Road access to property	see MOTOR VEHICLE ACCESS TO PROPERTY	
ROAD ALLOWANCE ABUTTING WATER	Municipal Act 298(3)	If a road allowance on an original survey abuts a lake or leads to water, it may not be closed or diverted without the approval of the Minister of Municipal Affairs and Housing.
ROAD CLOSING	Municipal Act 298(1), (11)	Council may pass a by-law to close a road, either permanently or for a specified period of time. The by-law must be approved by the Minister if the road is shown on a subdivision plan registered after March 27, 1946. A registered plan is only binding after the first mortgage or deed has been registered. Prior to that, the subdivider still owns the land and the municipality cannot close the road under this section.
	Public Transportation and Highway Improvement Act 24(3)	A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister.
	Surveys Act 57 (Natural Resources)	If a municipality has not assumed a road allowance on a plan of subdivision and proceeds to close it, the land belongs to the abutting owners. (The possibility of amending this clause and moving it to the Municipal Act and/or the Planning Act was being discussed at the time of publication.)
	Municipal Act 316, 317	If compensation was paid for a road allowance and the road is subsequently closed and council wants to sell the land, it may set a price and the abutting owners have the first option to buy it. A municipality may wish to open a road allowance as an alternative to the allowance on the original survey. If no compensation is paid for the new allowance, the land owner is entitled to the original allowance or to a cash payment, if he owns no abutting land. If compensation is paid for the new allowance, the abutting owners may purchase the allowance on the original survey.

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Subject	Reference	Description and Notes
- temporary closing	Municipal Act 208(44)	Council may close a road on a temporary basis for social, recreational, community and athletic purposes.
	Municipality of Metropolitan Toronto Act	Authority is granted to the Metropolitan Corporation on an annual basis to close part of Yonge Street to traffic from June to September.
	see also JUDGE'S ORDER; UNORGANIZED TERRITORY; HIGHWAY; PEDESTRIAN MALL	
Road-leasing of untravelled portion	see HIGHWAY - leasing, etc.	
Road, private - snowplowing	see PRIVATE ROAD - snowplowing	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	Public Transportation and Highway Improvement Act 104	The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.
	Municipal Act 284,286	A municipality is responsible for the repair of every road and bridge under its jurisdiction. However, registration of a plan of subdivision does not mean that the roads are automatically assumed by the municipality.
ROAD WIDENING	Public Transportation and Highway Improvement Act 109	Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.
	Municipal Act 298	Council may pass by-laws for widening, altering or diverting any highway or part of a highway.
	P.A. 40 (7)-(9)	Road widening may be obtained through site plan control.
	see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY;	
ROAD WIDENING (DEFERRED)	Municipal Act 196	Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.
	see also SET-BACKS	
ROAD WIDTH	Municipal Act 306	No road of less than 20 metres may be laid out without the approval of the Minister of Municipal Affairs and Housing, or of a council with delegated authority.
Rock festival	see OUTDOOR FESTIVAL	
Rooming house	see LODGING HOUSE	
Rubbish on vacant lots etc.	see REFUSE ACCUMULATION	
Rules of procedure	see HEARINGS, REGULATIONS	
Rural housing programs	see HOUSING -	

Subject	Reference		Description and Notes
SAFETY ZONE	Municipal Act 210(124)		Council may set aside safety zones near bus or street car stops and prohibit cars from driving over them while a pedestrian is in one or entering one.
Sale or lease of public land	see PUBLIC LANDS - sale or lease		
Salvage yards	see JUNK YARDS		
Sand and gravel	see MINERAL AGGREGATES; BEACHES AND SHORES		
Sanitaria	see HEALTH AND SOCIAL SERVICE INSTITUTIONS		
Sanitary landfill	see LANDFILL; WASTE MANAGEMENT		
School attendance	see SCHOOLS -		
School pupils from mobile homes	see TRAILERS; TRAILER CAMPS		
SCHOOLS - private	Education Act	1(1)40	"Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school).
- site		1(1)53	"School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.
- attendance		20(2)	A child is excused from attendance at school.....if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within 1.6 km. from his residence if he is under seven, within 3.2 km. if he is under ten, or within 4.8 km. if he is ten or over.
		38	If a child lives more than 3.2 km. from school and no bus transportation is provided closer than 0.8 km. from home, he (she) may attend a school in an adjoining school section if it is closer.
- recreation		150(1)9	A school board may operate the school ground as a park or playground and rink.
		150(1)22	A school board may permit the school buildings and premises to be used for any educational or other lawful purpose.
- recreation in unorganized territory		150(1)42	Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.
- recreation, shared use		160	A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.
- transportation		10(1)29	The Minister may make regulations governing the transportation of pupils.
		163	A school board <u>may</u> provide transportation to and from school.
- private vocational	Private Vocational Schools Act (Colleges and Universities)	1(c)	"Private vocational school" means a school or place at which instruction in any vocation is offered or provided by class room instruction or by correspondence, other than a college of applied arts and technology, a university recognized by the Ministry of Colleges and Universities or course of instruction maintained under any other act of the Legislature.
- mobile homes	see TRAILERS (Mobile homes)		
School sites	see SCHOOLS - site		
School transportation	see SCHOOLS - transportation		
Shared use of schools	see SCHOOLS - recreation, shared use		

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Subject	Reference		Description and Notes
Secondary Highway	see HIGHWAY -		
Self-service gas station	see SERVICE STATIONS - self-service		
Semi-detatched dwelling	see HOUSING -		
Senior citizen	elderly person		
SEPTIC TANK	Environmental Protection Act, Regulation 374/81		A fact sheet is available from the Ministry of the Environment. It describes the minimum standards for septic tank system design, including location standards relative to buildings, water bodies and property lines.
	see also SEWERAGE, PUBLIC HEALTH -		
SERVICE STATIONS	Municipal Act 210	151	An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
			Council may regulate service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.
	Municipal Act 502	152	Council may also limit the number of service stations and of public garages. (Repeal not proclaimed)
	Gasoline Handling Act (Consumer & Commercial Relations)	1(n)	"Service station" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers;
- self-service			Among other matters, the regulations pursuant to this Act state that self-service gasoline stations must be approved by the Ministry. The Ministry consults with the local municipality before approving an application.
SET-BACKS	Municipal Act 197		Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 6 metres, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.
	see also HIGHWAY - King's Highway; OBSTRUCTION OF VIEW		
Sewer and water levy	see IMPOSTS		
SEWERAGE	Environmental Protection Act	62	"Sewage system" is defined. The definition was changed in 1983.
- certificate of approval		64	No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate.
		67	No person shall use a new sewage system without first obtaining a permit.
		68	An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner.
		69	No person may construct, clean, repair or empty a sewage system without a licence.
- subdivision, consent		70	A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with applications for plans of subdivision or condominium or for consents or minor variances.

Subject	Reference		Description and Notes
- approval fee		71	Applications for approval of plans of subdivision or condominium may be subject to a fee for inspection and a certificate of approval. The fee would be set by the municipality by agreement with the Minister. Consent and minor variance applications may be subject to the fee, where they are sent to the municipality by agreement with the Minister. No application is subject to this fee if a sewage works has been approved under Section 24 of the Ontario Water Resources Act to serve the land, or if it is otherwise exempted by regulation. Applications for consent and subdivision approval are exempt from the fee if the lots are larger than 4 hectares. Consent applications are also exempt if the transaction is within the immediate family or where the land is owned by someone deriving their chief income from farming.
	Municipal Act 210	77,78	Council may regulate sewage and drainage and may operate sewerage systems.
		147	It may prohibit and regulate the discharge of waste into sewers.
- area rate	Municipal Act 218	(1)-(16)	Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under the Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.
		(17)	Council may also establish a sewage service rate, notwithstanding the work may have been constructed under the Local Improvement Act.
		219	Owners of buildings may be required by by-law to connect their buildings with the sewage works.
- public utility commission	Municipal Act 220		The management of a sewerage system may be entrusted to a public utility commission.
	Ontario Water Resources Act (Environment)	24-32	No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closings, etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.
- project		34	Municipalities may apply to have the Minister build and operate a sewage works as a project.
		43	A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area.
- boats		44	The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 305: pleasure boat sewage discharge).
		51,52	An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.
- loans, grants	National Housing Act Part VIII	50	C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan		52	C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional sewerage plan.
	see also LOCAL IMPROVEMENT; PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT		
SHOP	Occupational Health and Safety Act 1(25)		"Shop" means a building, booth or stall or a part of such building, booth or stall where goods are handled, exposed or offered for sale or where services are offered for sale.
	see also EARLY CLOSING BY-LAWS		
Shopping area - beautification	see BUSINESS IMPROVEMENT AREA		

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Subject	Reference		Description and Notes
Shoreland	see BEACHES AND SHORES		
SIDEWALKS	Public Transportation & Highway Improvement Act	106	A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
- local improvement	see also HIGHWAY - county road		
SIGNS	Municipal Act 210 (141-144)		Council may prohibit or regulate signs and may require that non-complying signs be removed. Provision may be made for temporary signs, to be removed after a stated period. Minor variances from sign by-laws may be granted by the Municipal Council.
	Municipal Act 309(3)		Council may permit signs to project over the sidewalk.
	Public Transportation & Highway Improvement Act 34,38		The Minister has authority to control signing on property within 400 metres of a provincial highway. (See the ministry's "Sign Control Policy for Field Advertising and Location Signs", available from The Office of Signs and Building Permits, 24th-3235).
- traffic signs	P.A. 40(7)(a)2		Traffic direction signs on private property may be required as a condition of site plan approval.
	Building Code Act O. Reg. 925/75		Section 3.7 deals with structural and safety requirements for signs. Overhanging signs must be at least 8 feet clear of a sidewalk.
	see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps, - signs; OBSTRUCTION OF VIEW		
Site Plan Control	P.A. 40(2)(3)		Guideline 9 to the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Official Plans and the Use of Site Plan Control" (August, 1984) Section 40 was excluded when the 1983 Planning Act was proclaimed. It is due to be proclaimed on January 1, 1986.
Site plan agreement	P.A. 40(7)(c)		
SITE PLANNING	Canada Mortgage and Housing Corporation		C.M.H.C.'s "Site Planning Criteria" contains requirements applied in the review of applications submitted under The National Housing Act, as well as recommended standards designed to contribute to good project design. It includes criteria and standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc. The requirements are now only mandatory for social housing.
	see also BUILDING CODE - Ontario Building Code, Part 9		
SLAUGHTERHOUSES	Municipal Act 210(34)		Council may prohibit or regulate and inspect slaughterhouses and may prohibit anyone other than a farmer from slaughtering animals on his own premises.
	see also PUBLIC HEALTH - SCHEDULE B; RENDERING PLANT		
Snowmobile	see MOTORIZED SNOW VEHICLES		
Snowplowing-private road	see PRIVATE ROAD - snowplowing		
Snow road	see FENCES		
Soil stripping	see TOPSOIL REMOVAL		
Solar access	see ACCESS TO LIGHT AND AIR		
Solid waste	see LANDFILL		
Special Care Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for special care		
SPILL	Environmental Protection Act 79-112		Part IX of the Act deals with the abnormal discharge of a pollutant into the natural environment and with the prevention, clean-up and restoration of the natural environment. It also deals with liability for loss or damage arising out of a spill and with liability for the costs and expense of prevention, clean-up and restoration.
Stables	see GARAGES		

Subject	Reference	Description and Notes
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation and Communications and Intergovernmental Affairs)	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than $3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.
Stop order	see CONTROL ORDER	
Strata plan	see CONDOMINIUM	
STRATEGIC LAND USE PLAN		The Ministry of Natural Resources has prepared a series of plans stating in very broad terms how it wishes to use or influence the use of Crown land to meet its objectives. In southern Ontario a strategic land use plan is called a "Co-ordinated Program Strategy" to differentiate it from a land use plan prepared by a municipality. Three existing strategies cover southern Ontario, the north-east and the north-west. Individual plans or strategies cover each district within these areas. They are called "District Land Use Guidelines."
Street	see LOCAL IMPROVEMENT ACT; HIGHWAY; ROADS...	
Street Lighting	see HYDRO-ELECTRIC POWER; LOCAL IMPROVEMENTS	
STREET NAMES	Municipal Act 210(105)	Council may name streets and change their names, by by-law, and may affix the names at street corners on public or private property.
Student housing	see HOUSING -	
SUBDIVISION AGREEMENT	P.A. 40(7)(c), 40(8)(b), 40(10); Municipal Act 166	A model subdivision agreement for a small municipality has been prepared by the Ministry of Housing in 1979. It was re-issued in 1985 and is available from the Ontario Government Bookstore for $1.00.
Subdivision control	P.A. 49(3)	"Subdivision Control in Registered Plans" available from the Ontario Government Bookstore for $2.00 discusses deeming and part-lot control.
SUBDIVISION PLAN	Surveys Act (53) (Natural Resources)	In this Act, a "plan of subdivision" means a plan of subdivision that is registered under the Land Titles Act or under the Registry Act.
	see also P.A. 50; PUBLIC LANDS - subdivision; REGISTERED PLAN	
SUBDIVISION PLAN AREA	Registry Act 86 (Consumer & Commercial Relations)	The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision plan area" and thereupon no land may be conveyed except in compliance with subsection 3 of Section 49 of the Planning Act.
- restraining order		
SUBDIVISION ROAD SUBSIDY	Public Transportation & Highway Improvement Act 82	In general, the construction of new roads in subdivisions is not subsidized, since the developer normally builds these roads. However, in exceptional circumstances, a road may be designated as a main traffic artery and the municipality's expenditure may be eligible for subsidy.
Suburban road	see HIGHWAY -	
Suburban subdivision road rate	see HIGHWAY - township road	
Summer camp	see PUBLIC HEALTH - camps	
SWIMMING POOLS	Municipal Act 210(23)	Council may pass a by-law to require fencing of private outdoor swimming pools.
- fences		
- zoning	Planning Act 34	A pool is a struture and is regulated as such in several municipal zoning by-laws.
- public pools	Public Health Act 9(36)	The Minister may make regulations regarding location, maintenance, use, etc.

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Subject	Reference		Description and Notes
Tannery	see INDUSTRIAL NUISANCE		
Tax arrears	see LANDS IN TAX ARREARS		
Taxation	see ASSESSMENT; PROVINCIAL LAND TAX		
TELEPHONE	Telephone Act (Transportation and Communications)		This Act applies to municipal subscriber-owned systems, public utility telephone systems and privately-owned industrial telephone companies, other than Bell Telephone.
Temporary use by-law	P.A. 38		
TERMITE CONTROL	Municipal Act 210(173,174)		
Territorial division	see BOUNDARIES		
Tertiary road	see HIGHWAY -		
Tile Drainage	see DRAINAGE		
Timber	see Trees		
TOP SOIL REMOVAL	Topsoil Preservation Act (Agriculture and Food)	1(b)	"Topsoil" means that horizon in a soil profile, known as the "A" horizon, containing organic material.
		2	Councils of municipalities may pass by-laws regulating or prohibiting the removal of topsoil, and providing for the issuance of permits and requiring rehabilitation of lands from which topsoil has been removed. These by-laws do not apply to agricultural operations, sod farming, or the removal of topsoil incidental to activities authorized under the Pits and Quarries Act, the Mining Act, etc. and they may not be used to inhibit construction of development specifically permitted under the Planning Act, the Parkway Belt Planning and Development Act or the Niagara Escarpment Planning and Development Act.
TOPOGRAPHIC MAPS	see also ONTARIO CO-ORDINATE SYSTEM		The Ontario Basic Mapping Program is established to provide simple, generally unanotated maps on the grid system chosen by the Ontario Government for geographical referencing purposes (M.N.R.: telephone 965-1208).
TOURIST ESTABLISHMENTS	Tourism Act (Tourism & Recreation)	1(i)	"Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include: -
			i a camp operated by a charitable corporation approved under The Charitable Institutions Act, or
			ii a summer camp within the meaning of the regulations made under the Public Health Act, or
			iii a club owned by its members and operated without profit or gain.
		3	No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments.
- signs		12	No sign may be displayed which does not comply with the regulations.
		16	The Minister may make regulations regarding....the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.
- tourist camps	see TRAILER AND TOURIST CAMP AND MOTELS		
TOWN PLOT			It is not always clear if a lot on a town plot is a lot on a registered plan within the meaning of the Planning Act. Lawyers for vendors and purchasers must determine in each instance if they are conveying and receiving good and marketable title.
Townsend community	see ONTARIO LAND CORPORATION		
Township road	see HIGHWAY -		

Subject	Reference	Description and Notes
TRAFFIC	Municipal Act 210(117)	Council may prohibit heavy traffic as defined in the by-law.
	Highway Traffic Act 169	A by-law for regulating traffic must be filed with the Ministry. If it affects traffic on a connecting link, it must be approved by the Ministry.
	97-108	Heavy vehicles may be caused to obtain a permit to use certain roads.
TRAILERS (Mobile homes)	Education Act 227	"Trailer" and "Trailer Camp" or "Trailer Park" are defined but the definition includes a vehicle more properly called a "mobile home" (See MOBILE HOME herein).
- school fees		A municipality which collects licence fees from "trailers" must pay a proportion of those fees to the school boards, in the same proportion as school taxes bear to total taxes. This does not apply to municipally operated "trailer camps".
	228	In unorganized territory, a fee of $5 per month is payable by a trailer occupant to the local public or separate school board, except in July and August and $5 per month is payable to the secondary school board. No fee is payable if the "trailer" is assessed under the Assessment Act.
TRAILER AND TOURIST CAMPS AND MOTELS	Municipal Act 232(15)	Council may regulate and license tourist camps, trailer camps and motels. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding $20 per month per lot may be charged, unless the lot is occupied temporarily by people whose normal place of residence is elsewhere, or unless the trailer is assessed.
	Municipal Act 210 95	A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.
- licences		Trailers may be licensed for a fee not exceeding $20 per month, provided they are not assessed under the Assessment Act. This provision really applies to mobile homes which are not in a municipally licensed trailer park.
- municipal trailer camps		96 Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer.
TRAILERS (Tow trailers)	Highway Traffic Act 1(1)38	Note that this definition includes a boat trailer, skidoo trailer, u-haul, etc. but NOT a mobile home.
		"Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
TRANSIENT ACCOMMODATION	Retail Sales Tax Act 1(24) (Revenue)	"Transient accommodation" means the provision of lodging in hotels, motels, hostels, apartment houses, lodging houses, boarding houses, clubs and other similar accommodation, whether or not a membership is required for the lodging, but does not include lodging let for a continuous period of one month or more or lodging in a lodging house, rooming house, or boarding house, if such house has accommodation for fewer than four tenants.
TRANSMISSION LINE	Ontario Energy Board Act 1(21) (Energy)	"Transmission line" means a pipe line, other than a production line, a distribution line, a pipeline within an oil refinery, oil or petroleum storage depot, chemical processing plant, or pipeline terminal or station.
TRANSMISSION POLES, WIRES	Municipal Act 210(108) and (111)	Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colorview Ltd. et al vs. Borough of Scarborough, 1974).
	see also HYDRO-ELECTRIC POWER	
Transportation	see PUBLIC TRANSPORTATION; RAPID TRANSIT; COMMUTER SERVICES; HIGHWAY	

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Subject	Reference		Description and Notes
TREES	Forestry Act (Natural Resources)		Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands. (Agreement forest).
	Public Transportation & Highway Improvement Act	30	The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.
- obstructions		34 and 38(2)b	No person may place a tree or shrub within 45 metres of a King's Highway or a controlled access highway or 180 metres of an intersection except under permit from the Minister.
		107	A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.
	Municipal Act 313		Council may authorize the planting of trees on highways and subsidize such planting by individuals.
	Conservation Authorities Act (Natural Resources)	21(o)	A Conservation Authority is empowered to plant and produce trees on Crown or other lands.
	Trees Act (Natural Resources)		The general purpose of this Act is to prevent the destruction of trees in the agricultural areas of Ontario.
		2	Trees planted on a lot boundary are common property of adjoining owners.
		4	County council or council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's written approval.
		5	A number of exceptions are cited to the application of section 4. One of these is that it does not affect the destruction of trees in order to erect a building for which a building permit has been issued.
		7-12	Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.
	Crown Timber Act (Natural Resources)		This Act deals with the sale of Crown timber, the issuance of licences to cut Crown timber, the requirements for forest management plans, operating plans, annual plans and inventories, the licensing of mills, etc.
	see also PUBLIC LANDS -; LOCAL IMPROVEMENTS; OBSTRUCTION OF VIEW; WOODLANDS; P.A. 40(7)(a)6		"Urban Tree and Forest Legislation in Ontario" is a comprehensive work published in 1978 by the Great Lakes Forest Research Centre, Department of the Environment, Box 490, Sault Ste. Marie, Ontario P6A 5M7.
TRESSPASS AND OWNER'S LIABILITY	Trespass to Property Act (Attorney General)		These Acts set out the basic duty of care for landowners, requiring them to do what is reasonable in all circumstances to see that persons entering their property are not injured by the conditions of the premises or by the activities on the premises. However, provisions are included to protect owners wishing to permit recreational use of their property.
	Occupier's Liability Act (Attorney General)		

Subject	Reference		Description and Notes
Underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES		
UNFINISHED BUILDING	Ontario Building Code 2.6 see also BUILDING CODE - occupation of new building		The Building Code deals with the occupancy of unfinished buildings.
UNORGANIZED TERRITORY	Public Hospital Act 1(t)		In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.
	Municipal Act 1.26		"Unorganized territory" means that part of Ontario without county organization.
- roads	Public Transportation and Highway Improvement Act 91		The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory.
	Municipal Act 319	1	Road allowances in unorganized territory are Crown Land. The Lieutenant Governor in Council (i.e. Cabinet) may close, alter, divert, sell or lease them.
- assessment	Provincial Land Tax Act (Revenue)		This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
- exempt lands		3	Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
- assessed value		4	The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
- Provincial Land Tax Register		6	Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
- building permit			The requirement for a permit under the Building Code Act does not apply in unorganized territory.
- mobile homes			A guideline is available from the Ontario Government Bookstore to assist planning boards enforce the mobile home provisions of the Planning Act in unorganized territories: "Mobile Homes in Unorganized Territories".
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD: P.A. 19 & 22; PUBLIC LAND - restricted area: SCHOOLS - ; COMMUNITY CENTRE -		
UNSAFE BUILDINGS	see BUILDING CODE - abandoned buildings		
Urban design	see BUSINESS IMPROVEMENT AREAS		
Urban drainage	see DRAINAGE		
URBAN RENEWAL	National Housing Act Part III	25.1	Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1973.
	see also P.A. 28-32; Maintenance and occupancy standards; COMMUNITY IMPROVEMENT		
URBAN SERVICE AREA	Municipal Act 14(12)		The O.M.B. may define urban services and cost of urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.
Urban transit Service area	see PUBLIC TRANSPORTATION		
Utilities	see PUBLIC UTILITIES		
UTILITY LINE	Ontario Energy Board Act 1(23) (Energy)		"Utility line" means a pipeline, a telephone, telegraph, electric power or water line, or any other line that supplies a service or commodity to the public.

V

Subject	Reference	Description and Notes
VACANT LAND CONDOMINIUM	Condominium Act 3(1) and 4(1)(e) (Consumer and Commercial Relations)	The existing legislation does not allow this form of development. The Condominium Act requires a declaration which must contain a description, including a certificate of a surveyor that the buildings have been constructed.
VALIDATION OF LOTS	P.A. 56	A pamphlet entitled "Validation Guidelines" has been produced by the Ministry of Municipal Affairs and Housing. It pertains to lots created in contravention of the Planning Act prior to March 19, 1976.
VEHICLE	Highway Traffic Act 1(1)39 see also MOTOR VEHICLE ACCESS TO PROPERTY	"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars or electric or steam railways running only upon rails.
Veteran's Housing	see HOUSING	
VETERANS' LAND	Veteran's Land Act (Federal - Veterans' Affairs)	Designed to assist war veterans to settle as full or part-time farmers or as commercial fishermen, this Act provides financial assistance to qualified veterans. The minimum lot area quoted in the Veterans' Land Regulations is one half acre, which may in some cases be reduced by 20%.
Visual pollution	see AESTHETICS	
Vocational Schools	see SCHOOLS -	

Subject	Reference		Description and Notes
Walkways	P.A. 40(7)(e)4; see also BICYCLE AND FOOTPATHS		
Waste disposal sites	see WASTE MANAGEMENT		
WASTE MANAGEMENT	Environmental Protection Act Part V	24	"Waste" includes asnes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.
		26-27	No waste management system or waste disposal site may be established or enlarged without a certificate of approval.
		28	No money may be spent by any municipality for waste disposal without a certificate of approval.
		29	The Minister may tell a municipality to institute a waste collection or management system.
		30-31	Where a waste disposal site application involves considerable industrial waste, a public hearing must be held by the Ministry unless the situation is deemed an emergency.
		34	No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.
		39	No waste may be deposited except on a waste disposal site.
- waste disposal wells		46	Reference is also made to waste disposal wells and to compensation for pollution through such wells.
- types of waste	Regulation 309 (E.P.A.)	2,3	The following types of waste are defined: agricultural wastes, condemned animals, derelict motor vehicles, hauled liquid industrial waste, hauled sewage, hazardous waste, incinerator waste, inert fill, processed organic waste and rock fill or mill tailings from a mine.
- hazardous waste			In March, 1983, the Ministry published an "Interim Guideline for the interpretation of the Hazardous Waste Definition (Regulation 309)".
- waste disposal sites		4	The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.
- waste management systems		6	The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.
- standards		8-13	Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.
- area rate	Municipal Act 210	83-85	Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval, and may levy a special rate for garbage disposal purposes.
- garbage dumps		129	Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see Raes vs Township of Plympton, 1971).
WATER CANALS IN SUBDIVISIONS	Municipal Act 216		Council may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.
Water control	see CONSERVATION; DRAINAGE; PUBLIC LANDS		
Water management	see CONSERVATION (NATURAL ENVIRONMENT)		
Water pollution	see WATER QUALITY		
Water privilege	see LAKES AND RIVERS -		

W

Subject	Reference		Description and Notes
WATER QUALITY	Ontario Water Resources Act 14-18 (Environment)		The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (14). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (15). Pollution of a water body is punishable by a fine of up to $5,000 for a first offence (16). The discharge of any sewage into any water body may be prohibited or regulated (17), and the Ministry may order that necessary equipment be used to alleviate pollution.
	see also SPILL		
- pollution of fish	Fisheries Act 33, 34 (Environment Canada)		The Minister has authority to review the plans for any works that could result in the deposit of deleterious substances in water frequented by fish.
- pollution from vessels	Canada Shipping Act (Transport Canada)		This Act and its regulations provide for the control of pollution from vessels, as determined to be necessary to fulfill Annexes 4 and 5 of the Great Lakes Water Quality Agreement.
	Environmental Contaminants Act (Environment Canada)		This Act is intended to permit regulation of any substance suspected to constitute a danger to human health or the environment. Regulations have not yet been proclaimed but some are being developed for polychlorinated biphenols (PCB's).
	Canada Water Act (Environment Canada)		Designed to permit research, planning and implementation programs for the conservation, development and use of Canadian Water resources through formal agreements with the provinces, this Act has to date only introduced a regulation controlling the phosphorus content in detergents.
	see also PUBLIC HEALTH; LAKES AND RIVERS		
Water resources	see WATER QUALITY; WATERWORKS		
WATER SUPPLY	Ontario Water Resources Act 19, 20		An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 50,000 litres per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.
	see also WELLS; PUBLIC UTILITIES		
Waterways	see NAVIGABLE WATERS; LAKES AND RIVERS; PROVINCIAL PARKS - classification		
WATERWORKS	Ontario Water Resources Act	23	No waterworks may be started or enlarged without the prior approval of the Ministry.
- projects		34-35	A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.
- rate		36	Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.
- service area		43	A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.
- loans, grants	National Housing Act (C.M.H.C.)	50	C.M.H.C. may make loans to any province or municipality for the construction or expansion of water supply systems, in order to encourage comprehensive land use and residential development in previously undeveloped areas. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan		52	C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional water supply plan.
	see also PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT; REGIONAL MUNICIPALITIES		
Wayside pits	see MINERAL AGGREGATES		

Subject	Reference		Description and Notes
WEED CONTROL	Weed Control Act (Agriculture and Food)	6,8	Every county, district and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
- entry on private property		10	For the purpose of searching for noxious weeds, an inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11	An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13	If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.
- subdivided areas		14	A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.
		20	Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.
		22	Provision is made for provincial regulations and subsidies.
WELLS	Ontario Water Resources Act O/Reg. 739	20(7)	Leaking wells may be regulated by the Ministry.
		21(1)(f)	"well" means a hole made in the ground to locate or to obtain ground water or to test or to obtain information in respect of ground water or an aquifer, and includes a spring around or in which works are made or equipment is installed for collection or transmission of water and that is or is likely to be used as a source of water for human consumption.
		22	In designated areas, a permit is required before a well may be dug. It may be refused for a number of reasons.
WETLAND	Municipal Act 210 (75,82)		Council may pass a by-law to purchase wetland in the municipality and to drain it. Land may also be purchased in an adjoining municipality to prevent flooding.
WILDERNESS AREAS	Wilderness Areas Act (Natural Resources)	2	Cabinet may set aside wilderness areas, which are under control of the Minister.
		3	Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 260 hectares.
		7,8	Regulations may be made for any wilderness area. Contraventions are subject to fines of up to $500.
	see also PROVINCIAL PARK - classification		
Wiring	see HYDRO-ELECTRIC POWER - underground wiring		
WOODEN BUILDINGS	Municipal Act 210 (32)		Council may prohibit the erection of wooden buildings or wooden additions or fences or the removal of such structures from one place to another.
WOODLANDS	Woodlands Improvement Act (Natural Resources)	1	"Woodlands" means lands having at least 1,000 trees per hectare of all sizes or at least 750 trees per hectare over 5 cm in diameter or at least 500 trees per hectare over 12.5 cm in diameter or at least 250 trees per hectare, measuring over 20 cm in diameter, but does not include a plantation established for the purpose of producing Christmas trees.
		2	The Minister may enter into agreements with owners of suitable lands in a private forest management area for the planting of nursery stock and improvement of woodlands.
		3	Cabinet may make regulations designating parts of Ontario as private forest management areas.
	Assessment Act 18(7)(8)		The assessed value of woodlands is not influenced by the presence or removal of trees.
	see also TREES		
Wrecking yards	see JUNK YARDS		

Z

Subject	Reference	Description and Notes
Zoning around airports	see AIRPORT ZONING	
Zoning by-law	P.A. 34	Guideline 8 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Zoning and Other Land Use Controls". (October, 1983)
Zoning in annexed areas	see ANNEXATION AND AMALGAMATION - zoning	
Zoning in provincial parks	see PROVINCIAL PARKS - zoning	
Zoning on county road	see HIGHWAY - zoning	
Zoning orders	P.A. 47; see also PARKWAY BELT -	Guidelines on the administration of zoning orders in unorganized territories were published by the Operations Control Branch, Ministry of Municipal Affairs and Housing, in September, 1981.
Zoning plans on public lands	see PUBLIC LANDS - zones	

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